



**AGENDA
SCOTT COUNTY
BOARD OF COMMISSIONERS
SHAKOPEE, MINNESOTA
OCTOBER 20, 2020**

9:00 a.m.

- (1) CONVENE COUNTY BOARD**
- (2) AMENDMENTS TO THE AGENDA**
- (3) APPROVE MINUTES OF OCTOBER 6, 2020 COUNTY BOARD MEETING**
- (4) RECOGNITION OF INTERESTED CITIZENS**
Limited to items not on the agenda, and five minutes per person/subject. Speakers are asked to approach the microphone for the benefit of viewers and interested citizens.
- (5) INNOVATION: WE WILL TAKE INFORMED RISKS TO DELIVER SERVICES MORE EFFECTIVELY AND WILL LEARN FROM OUR SUCCESSES AND FAILURES**
5.1 Receive Information on Scott County Delivers Topic: Live, Learn, Earn (*No fiscal impact*)
- (6) CONSENT AGENDA**
Stewardship: We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
 - 6.1 Adopt Resolution No. 2020-161; Authorizing Entering Into an Agreement With EPA Audio Visual, Inc. for the Purchase and Installation of Audio Equipment Using Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding (*No fiscal impact-utilizing CARES Act funds*)
 - 6.2 Adopt Resolution No. 2020-162; Authorizing Final Payment to SM Hentges & Sons, Inc. in the Amount of \$1,000 for County Project 42-17 for County Highway 42 and Trunk Highway 13 Intersection Improvements (*No fiscal impact*)
 - 6.3 Adopt Resolution No. 2020-163; Authorizing Final Payment to MP Asphalt Maintenance, Inc. in the Amount of \$1,000 for the 2020 Trail Sealcoat Project (*No fiscal impact*)
 - 6.4 Adopt Resolution No. 2020-164; Approving Execution of a Purchase Agreement and the Purchase of Real Property Located Along County Highway 17 in the City of Shakopee by an Early Voluntary Acquisition by Mutual Agreement (*No fiscal impact*)
 - 6.5 Adopt Resolution No. 2020-165; Approving Execution of a Purchase Agreement and the Purchase of Real Property by an Early Voluntary Acquisition by Mutual Agreement Located Along County Highway 17 in the City of Shakopee (*No fiscal impact*)
 - 6.6 Adopt Resolution No. 2020-166; Authorizing Final Payment to Sunram Construction, Inc. in the Amount of \$1,000 for the Sand Creek Near Channel Sediment Reduction Phase IV Project in Helena Township (*No fiscal impact*)
 - 6.7 Adopt Resolution No. 2020-169; Awarding a Contract to Egan Company for the Installation of a Traffic Signal System and Interconnect at the Intersection of County Highway 27/Connelly Parkway in the City of Savage (*No fiscal impact*)
 - 6.8 Adopt Resolution No. 2020-170; Approving the Amendment to the Minnesota Pollution Control Agency 2020 Local Recycling Development Grant to Increase the State's Total Obligation From \$384,254.13 to \$563,803.24 (*No fiscal impact*)
 - 6.9 Adopt Resolution No. 2020-174; Approving Execution of a Purchase Agreement and the Purchase of Real Property Located Along County Highway 17 in the City of Shakopee by an Early Voluntary Acquisition by Mutual Agreement (*No fiscal impact*)
 - 6.10 Adopt Resolution No. 2020-176; Approving Coronavirus Aid, Relief, and Economic Security (CARES) Act Special Revenue Fund to be Authorized for Use to Cover Pandemic Response Costs Incurred in the County Operation Budget From No Earlier Than March 1, 2020 Through September 30, 2020 (*No fiscal impact*)
 - 6.11 Approve Record of Disbursements and Approve Claims (*No fiscal impact*)

CONSENT AGENDA CONTINUED:

Collaboration: We will work with partners - communities, schools, faith groups, private business, and non-profit agencies - to see that services are not duplicated but rather are complimentary, aligned, and provided by the partners who can deliver the service most effectively

- [6.12](#) Adopt Resolution No. 2020-167; Authorizing Revocation and Entering Into an Agreement for the Turnback of Mobile Manor Drive to Jackson Township *(No fiscal impact)*
- [6.13](#) Adopt Resolution No. 2020-168; Authorizing Revocation of Mobile Manor Drive to the City of Shakopee *(No fiscal impact)*
- [6.14](#) Adopt Resolution No. 2020-171; Authorizing the Third Amendment and Restated Joint Powers Agreement Establishing the I-35W Solutions Alliance and Continuing Scott County's Membership on the Joint Powers Board *(No fiscal impact)*
- [6.15](#) Adopt Resolution No. 2020-172; Authorizing an Amendment to the Current Agreement and Entering Into a New Five-Year Grant Agreement No. 183884 With the Minnesota Department of Health for the Statewide Health Improvement Program *(No fiscal impact)*

Customer Service: We will deliver government services in a respectful, responsive, and solution-oriented manner

- [6.16](#) Approve the Request for Rezoning of 40 Acres From A-1, Agricultural Preservation District to A-3, Agricultural Preservation Density (Carol Bauer, Applicant and Carol and Roger Bauer, Property Owners) in Section 23 of Belle Plaine Township *(No fiscal impact)*
- [6.17](#) Approve the Request for Rezoning of 95.32 Acres From UER, Urban Expansion Reserve to UER-C, Urban Expansion Reserve Cluster District (John Mesenbrink, Applicant and John and Mary Mesenbrink, Property Owners) in Section 10 of Credit River Township *(No fiscal impact)*
- [6.18](#) Approve Payroll Processing of Personnel Actions *(No fiscal impact)*

Communication: We will always be clear about what we're doing and why we're doing it

- [6.19](#) Adopt Resolution No. 2020-177; Setting a Public Hearing Date of November 17, 2020 at 10:30 a.m. to Receive Comments and Consider an Amendment to the Capital Improvement Program *(No fiscal impact)*

(7) COMMUNICATION: WE WILL ALWAYS BE CLEAR ABOUT WHAT WE'RE DOING AND WHY WE'RE DOING IT

- [7.1](#) Adopt Resolution No. 2020-175; Authorizing Submittal of Comments on the Metropolitan Council's Draft Amendment to the 2040 Regional Parks Policy Plan *(No fiscal impact)*

(8) COMMITTEE REPORTS AND COMMISSIONER UPDATES

(9) COUNTY ADMINISTRATOR UPDATE

(10) RECESS FOR ATTORNEY/CLIENT MEETING

(11) ADJOURN

UPCOMING MEETINGS

October 27, 2020 10:00 a.m. County Board Workshop
November 3, 2020 9:00 a.m. County Board Meeting

Lezlie A. Vermillion
County Administrator
(952) 496-8100

MINUTES
BOARD OF COMMISSIONERS
COUNTY OF SCOTT
OCTOBER 6, 2020

(1) The Board of Commissioners, in and for the County of Scott, Minnesota, met in the Courthouse Board Room in the City of Shakopee, Minnesota, and convened at 9:00 a.m., with the following members present: Commissioner Beer, presiding, Commissioner Weckman Brekke, and Commissioner Wolf. Commissioner Beard and Commissioner Ulrich participated via phone. Chair Beer announced all votes will be by roll call vote.

(2) County Staff Present:

- A. Lezlie Vermillion, County Administrator
- B. Jeanne Andersen, Assistant County Attorney
- C. Pam Selvig, Health and Human Services Director (via phone)
- D. Brad Davis, Planning and Resource Management Director (via phone)
- E. Lisa Freese, Transportation Services Director
- F. Lisa Pollard, Learning and Outreach Manager (via phone)
- G. Perry Mulcrone, Business Relationship Director (via phone)
- H. Cindy Geis, Community Services Director
- I. Luke Hennen, Sheriff (via phone)
- J. Lisa Brodsky, Public Health Director
- K. Steve Jones, Principal Financial Analyst
- L. Chris Harder, Quality Improvement Manager
- M. Jake Grussing, Library Director
- N. Greg Sorenson, Chief Information Officer

(3) Guests Present:

- A. Bill Jaffa, Community Development Agency (CDA)
- B. Adam Johnson, CDA
- C. Amy Domeier, 4215 Hunters Lane, Cedar Lake Township
- D. Pastor Ben Hilding, (via phone)
- E. Justin Lewandowski (via phone)
- F. Gary Shelton, Spring Lake Township
- G. Paul Steinman, Baker Tilley

(4) Minutes:

On a motion by Commissioner Weckman Brekke, seconded by Commissioner Wolf, the Minutes of the September 10, 2020 Scott County Board of Commissioners-Three Rivers Park District Board of Commissioners Joint Board meeting were approved on a roll call vote.

On a motion by Commissioner Ulrich, seconded by Commissioner Wolf, the Minutes of September 15, 2020 were approved on a roll call vote.

(5) Recognition of Interested Citizens:

A. Gary Shelton, Spring Lake Township, presented a check to Scott County in the amount of \$20,000 on behalf of himself, Linda Shelton, and Randy and Peggy Herman. The donation will be used for the purchase Kindle Fire Readers to promote early literacy in Scott County. Distribution of the Kindle Fire Readers will be coordinated by the Scott County Library System.

B. Amy Domeier, 4215 Hunters Lane, Cedar Lake Township, spoke on behalf of herself and her husband, Steve, regarding their opposition to the proposed helipad in Cedar Lake Township. Ms. Domeier expressed concerns regarding flight routes, flight times, days of operation, number of trips, annual review of the operation, and the placement of the helipad. Ms. Domeier asked the Commissioners to visit the proposed site.

C. Pastor Ben Hilding of Holy Trinity Lutheran Church in New Prague addressed the Board on the Church's philosophy of participating in hope in efforts to combat homelessness. Pastor Hilding also spoke of the Church's work with Families Moving Forward. He requested the County Board commit to a capital investment of \$900,000 for the proposed Prairie Pointe Housing Development in Shakopee.

(6) Consent Agenda:

A. Commissioner Beard moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-160; Authorizing the Approval of the Grant Agreement and Receipt of Funds From the Department of Human Services for the Adult Mental Health Initiative and Community Support Program. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

B. Commissioner Beard moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-152; Authorizing Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding to be Used to Purchase Additional Mobile Computer Equipment and Contract Services. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

C. Commissioner Beard moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-155; Approving an Amendment to the 2020-2029 Transportation Improvement Program to Add County Project CPT 169-10 and Authorizing Entering Into a Cooperative Agreement With Sand Creek Township for Participation in the Berkshire Avenue Extension Project Design. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

D. Commissioner Beard moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-156; Awarding the Contract to Kraus-Anderson Construction Company for the Construction of a New Courtroom on the Third Floor of the Law Enforcement Center in the Amount of \$2,161,563.58. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

E. Commissioner Beard moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-158; Authorizing the Acceptance of Grant Funds From Homeland Security Emergency Management to Fund the Initial Investment of Two Next Generation Firewalls and Authorizing Up To \$180,000 in Additional Implementation, Hardware, and Subscriptions Costs to be Covered by Coronavirus Aid, Relief, and Economic Security (CARES) Act Funds. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

F. Commissioner Beard moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-159; Authorizing an Amendment to the Sub-Recipient Agreement With the Scott County Development Agency for Administration of the Mortgage and Business Support Program to Add \$64,000 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding to Develop a Consolidated Jobs Website. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

G. Commissioner Beard moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-157; Approving an Agreement With Credit River to Provide Law Enforcement Services Within Its Political

Boundaries. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

H. On the recommendation of the County Administrator, Commissioner Beard moved, seconded by Commissioner Weckman Brekke to approve the payroll processing of personnel actions indicated below and certified by the Employee Relations Director and the Appointing Authority to be in compliance with provisions of Minnesota Statutes 375.56 - 375.71 and the Scott County Merit Personnel System:

1. FT Temporary employment for Chuck Roskam, Office Assistant – Unclassified, Community Services Division, effective 09/10/20.
2. FT Temporary employment for Mary Krause, Office Assistant – Unclassified, Community Services Division, effective 09/10/20.
3. FT Temporary employment for Allison Xiong, Office Assistant – Unclassified, Community Services Division, effective 09/10/20.
4. FT Temporary employment for Keigan Rantala, Office Assistant – Unclassified, Community Services Division, effective 09/14/20.
5. FT Temporary employment for Juliana Courier, Office Assistant – Unclassified, Community Services Division, effective 09/14/20.
6. FT Temporary employment for Rebecca Braun, Office Assistant – Unclassified, Community Services Division, effective 09/14/20.
7. FT Temporary employment for Pamela Caselius, Office Assistant – Unclassified, Community Services Division, effective 09/14/20.
8. FT Temporary employment for Rochel Sodetani, Office Assistant – Unclassified, Community Services Division, effective 09/14/20.
9. FT Temporary employment for Sue Schluter, Office Assistant – Unclassified, Community Services Division, effective 09/14/20.
10. FT Temporary employment for Vicki Thompson, Office Assistant – Unclassified, Community Services Division, effective 09/14/20.
11. FT Temporary employment for Steve Steuber, HHW Assistant – Unclassified, Planning and Resource Management Division, effective 09/17/20.
12. Change in status for Victoria Barnett, Intermittent (34% FTE) to PT Probationary (50% FTE) Facility Probation Officer, Health and Human Services Division, effective 10/12/20.
13. Rescind employment offer to Kristen Hayashi, FT Probationary Therapist, Health and Human Services Division, effective 10/01/20.
14. Rescind employment offer to Alicia Kramer, FT Temporary Office Assistant – Unclassified, Community Services Division, effective 09/10/20.
15. Amend separation of Vinh Phan, FT Principal Solutions Analyst, Office of Management and Budget, effective 09/25/20 (previously 09/18/20).
16. Promotion for Natalie Koepp, FT Probationary Field Probation Officer, Health and Human Services Division, effective 09/28/20.

Motion carried unanimously.

- (7) Stewardship: We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government:

A. Adam Johnson, Scott County Community Development Agency (CDA), requested adoption of two resolutions approving the pledge of the County's general obligation to refund bonds for the Philipp Square Project in New Prague and for the refund bonds for the Northridge Project in Shakopee. The requested actions have been affirmed by the Cities of New Prague and Shakopee for the properties located in their respective Cities.

Paul Steinman, Baker Tilley, explained the County's role in the refunding and estimated savings that could be realized by the CDA.

Commissioner Weckman Brekke moved, seconded by Commissioner Beard to adopt Resolution No. 2020-153; Approving the Pledge of the General Obligation of Scott County, Minnesota to the Payment of the Governmental Development Refunding Bonds (Scott County, Minnesota Unlimited Tax General Obligation – Northridge Court Project), Series 2020B, to be Issued by the Scott County Community Development Agency; Approving the Pledge of the Special Benefit Tax to the Payment of Such Bonds; and Authorizing the Execution and Delivery of Documents in Connection Therewith. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

B. Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to adopt Resolution No. 2020-154; Approving the Pledge of the General Obligation of Scott County, Minnesota to the Payment of the Governmental Development Refunding Bonds (Scott County, Minnesota Unlimited Tax General Obligation – Philipp Square Project), Series 2020A, to be Issued by the Scott County Community Development Agency; Approving the Pledge of the Special Benefit Tax to the Payment of Such Bonds; and Authorizing the Execution and Delivery of Documents in Connection Therewith. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference. The motion carried unanimously on a roll call vote.

C. Transportation Services Director Lisa Freese, Quality Improvement Manager Chris Harder, and Principal Financial Analyst Steve Jones provided updated information on the distribution of Scott County's Coronavirus Aid, Relief, and Economic Security (CARES) Act funding. Information was given on internal vs external spending categories; activities in the areas of small business support, housing security, schools, food supports, and nonprofits; rural broadband; and County reimbursement. Monthly updates will be given to the County Board.

(8) Communication: We will always be clear about what we're doing and why we're doing it:

A. Public Health Director Lisa Brodsky provided updated COVID-19 statistics on local, state, and national levels. Information on flu vs COVID-19 impact, community testing, case investigation, communication with employers and schools, event planning assistance, and provision of essential products was also provided.

B. Community Services Director Cindy Geis gave an update on election judge recruitment and elections statistics for the 2020 General Election. Registration and voting deadlines and voting options were explained. Protocols for the collection and tabulation of ballots as well as procedures in place to prevent duplicative voting were also explained.

(9) Committee Reports and Commissioner Updates:

A. The Commissioners all participated in the Regional Rail Authority Board meeting on September 15.

B. Commissioners Weckman Brekke and Beer participated in the Scott County Extension Committee virtual meeting on September 16.

C. Commissioner Weckman Brekke participated in the Metropolitan Library Service Agency virtual meeting on September 17.

D. Commissioner Weckman Brekke participated in Association of Minnesota Counties Health and Human Services Committee virtual meetings on September 17 and 18.

E. Commissioner Weckman Brekke participated in the Scott County Library Board of Advisors virtual meeting on September 17.

F. Commissioner Weckman Brekke participated in the Dakota-Scott Workforce Development Board virtual meeting on September 18.

G. Commissioners Weckman Brekke and Wolf attended the Scott County Farm Bureau Annual Meeting on September 18.

H. Commissioner Weckman Brekke participated in the Live, Learn, Earn Education Preparedness Committee virtual meeting on September 22.

I. Commissioner Weckman Brekke participated in the Together We Can End Child Abuse in Scott County Steering Committee virtual meeting on September 24.

J. Commissioner Weckman Brekke attended the Jordan Commercial Club meeting on September 24.

K. Commissioner Weckman Brekke and County Administrator Lezlie Vermillion met with the Belle Plaine Mayor and City Administrator on September 29.

L. Commissioners Weckman Brekke, Wolf, and Beer toured the building construction project on September 29.

M. All the Commissioners participated in the County Board workshop on September 29.

N. Commissioners Weckman Brekke, Wolf, Ulrich, and Beer attended the ribbon cutting for the intensive residential treatment services facility in Savage on September 29.

O. Commissioners Weckman Brekke and Wolf participated in the Scott County Mental Health Local Advisory Council candidate listening session on September 29.

P. Commissioner Weckman Brekke participated in the Justice Steering Committee virtual meeting on October 1.

Q. Commissioner Weckman Brekke participated in the Together We Can End Child Abuse in Scott County Subcommittee virtual meeting on October 1.

R. Commissioner Weckman Brekke participated in the Helena Town Board virtual meeting on October 1.

S. Commissioners Beard and Beer participated in a joint virtual meeting with the Credit River Town Board on September 22.

T. Commissioner Beard participated in a conference call with the Minnesota Department of Transportation on September 28.

U. Commissioners Beard and Ulrich participated in the Scott County Transportation Committee virtual meeting on October 1.

V. Commissioner Ulrich participated in the Metropolitan Council Transportation Alliance Board virtual meeting on September 16.

W. Commissioner Ulrich participated in the Greater MSP virtual meeting on September 17.

X. Commissioner Ulrich participated in the Trunk Highway 169 Corridor Coalition Executive Committee virtual meeting on September 17.

Y. Commissioner Ulrich participated in the Scott County Association for Leadership and Efficiency (SCALE) Service Delivery Committee meeting on September 21.

Z. Commissioners Ulrich and Beer conducted the Chair/Vice Chair planning meeting on September 22.

AA. Commissioner Ulrich participated in the Suburban Transit Association virtual meeting on September 22.

AB. Commissioner Ulrich participated in the Greater MSP/County Commissioner virtual meeting on September 24.

AC. Commissioner Ulrich and Ms. Vermillion met with the Savage Mayor and City Administrator on September 24.

AD. Commissioners Ulrich and Beer participated in the Families and Individuals Sharing Hope (FISH) Board of Directors meeting on September 24.

AE. Commissioner Ulrich met with Ms. Vermillion via phone on October 1.

AF. Commissioner Ulrich participated in the FISH Executive Committee virtual meeting on October 1.

AG. Commissioner Ulrich participated in the SCALE Executive Committee virtual meeting on October 2.

AH. Commissioner Wolf attended the Prior Lake City County meeting on September 21.

AI. Commissioner Wolf attended Mural Committee meetings on September 22 and October 1.

AJ. Commissioner Wolf attended the Metropolitan Mosquito Control District meeting on September 23.

AK. Commissioner Wolf met with the Elko New Market Mayor on September 23.

AL. Commissioner Wolf attended a meeting on September 24 regarding the Credit River incorporation.

AM. Commissioner Wolf attended the Elko New Market City Council meeting on September 24.

AN. Commissioner Wolf met with Ms. Vermillion on September 28.

AO. Commissioner Wolf attended the Scott Watershed Management Organization/Scott Soil and Water Conservation District tour on September 28.

AP. Commissioner Wolf attended Credit River Town Board meetings on September 28 and October 5.

AQ. Commissioner Wolf attended the Cedar Lake Town Board meeting on October 5.

AR. Commissioner Beer participated in the Scott County Prevention Coalition virtual meeting on September 23.

AS. Commissioner Beer met with the Dakota County Board Chair on September 29.

AT. Commissioner Beer attended the Prior Lake City Council meeting on October 5.

(10) County Administrator Update:

- The October 27 County Board workshop will begin at 10:00 a.m.
- The tunnel between the Law Enforcement Center and the Justice Center is fully functional as of today.

Following today's meeting the County Board will meet in a workshop setting to receive information on the mural for the new building and agenda management software.

On a motion by Commissioner Wolf, seconded by Commissioner Weckman Brekke, the meeting adjourned at 11:50 a.m.

David Beer
Chair

Lezlie A. Vermillion
County Administrator
Clerk of the Board

Debra K. Brazil
Deputy Clerk to the Board

AGENDA # 5.1
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	County Administration	CONSENT AGENDA:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ORIGINATING DEPARTMENT:			
PRESENTER:	Various	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	Scott County Delivers	TIME REQUESTED:	60-90 minutes
ACTION REQUESTED:	Receive Information on Scott County Delivers Topic: Live Learn Earn Initiative		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☒ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☒ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☒ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☒ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☒ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☒ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to receive information on Scott County Delivers Topic: Live Learn Earn Initiative.

County programs support safe, healthy and livable communities. These programs are tied to Community Indicators which provide on a high level some indication of overall program effectiveness. Scott County Delivers is a discussion on the Key Performance Indicators (KPIs) for County programs and Strategic Initiatives and how they are performing. These County programs also utilize business measures to track the effectiveness of programs as well as operational efficiencies. Scott County Delivers provides staff an

opportunity to discuss programs and their data and shows what is working and not working in a broader setting.

Broader discussion on this data leads to understanding program impacts and overlaps between other departments and agencies. Understanding and discussing the data provides opportunities for broader collaborations, and improving process, technology, or staffing gaps.

To view materials including an overview of the program, outcomes, and measures, [click here](#).

Fiscal Impact:

None

AGENDA # 6.1
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Office of Management & Budget	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:			
PRESENTER:	Tracy Cervenka, 8164	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:		TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-161; Authorizing Entering Into an Agreement With EPA Audio Visual, Inc. for the Purchase and Installation of Audio Equipment Using Coronavirus Aid, Relief, and Economic Security Act Funding		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☒ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☒ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☒ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☐ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☒ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:		COUNTY ADMINISTRATOR SIGNATURE:
Approved:		DISTRIBUTION/FILING INSTRUCTIONS:
Denied:		
Tabled:		
Other:		
Deputy Clerk :		
Date:		

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-161; Authorizing Entering Into an Agreement with EPA Audio Visual, Inc. (EPA) for the Purchase of Audio Equipment, Using Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding.

Since early 2020, Scott County has been impacted by an outbreak of a respiratory disease caused by a novel coronavirus that has been detected across the world, including in Minnesota.

- On March 11, the World Health Organization declared COVID-19 as a pandemic.
- On March 13, the President of the United States declared a national emergency for the COVID-19 pandemic.
- On March 13, the Governor of Minnesota declared a peacetime emergency due to the COVID-19 pandemic.
- On March 17, 2020, the Scott County Board of Commissioners declared a local state of emergency due to the COVID-19 pandemic.

On March 27, 2020, the Federal Government passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which provides over \$2 trillion in federal economic relief to protect the American people from the public health and economic impacts of COVID-19. Part of those funds was sent to states for local allocation and disbursement.

Minnesota Governor Tim Walz, through executive authority and a legislative review committee, allocated and dispersed a portion of Minnesota's CARES Act funds as Local Government Assistance based on population targets to counties, cities, and townships throughout the state. Scott County has received \$17,719,998.

The funds may be spent by the local agencies to offset public health and economic impacts of COVID-19. In order to be eligible for the funding, expenditures must pass a three-step test:

1. Expenses must be necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19).
2. They must be costs that were not accounted for in the budget most recently approved as of March 27, 2020.
3. Performance or delivery must occur during the covered period, but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred.) The County deadline is 12/1/2020.

To assist in understanding eligible expenses, the United States Department of the Treasury published two documents: *Coronavirus Relief Fund Guidance to State, Territorial, Local, and Tribal Governments Updated June 30, 2020* ("Guidance"); and *Coronavirus Relief Fund Frequently Asked Questions Updated as of August 10, 2020* ("Frequently Asked Questions").

All CARES Act Funds are subject to State and Federal audit for use of the funds. This means that any subrecipients of CARES Funds from the County must also meet audit requirements.

The Scott County Board of Commissioners met in a workshop on July 7, 2020 to discuss and reiterated at their County Board meeting on July 21, 2020, their goals for allocation of the County's CARES funds. In addition to covering unexpected costs to the County, the County Board indicated that local business support was their highest priority with housing security, food security, nonprofit support, school support, and rural broadband also being priorities. The goals behind this focus are:

- Keeping employees working or getting residents working again; and
- Filling in gaps that unemployment insurance (+ stimulus), Payroll Protection Program (PPP) and other programs didn't serve; and
- Helping businesses, organizations, and residents most harmed by the pandemic; and
- Providing support to business that can sustain and grow the economy; and
- Supporting operational changes to keep businesses operating during the pandemic; and
- Providing food support for families at risk in the short-term;
- Targeting rental and mortgage programs to those in need not covered by State;
- Supporting distance learning; and
- Supporting childcare for essential employees.

On August 4, 2020, the Scott County Board of Commissioners passed a resolution approving the establishment of a Special Revenue Fund for the CARES Act funds, targeting \$5.5 million for business support, \$2 million for housing support, and \$1 million for rural broadband.

A Scott County committee reviewed staff submissions for use of CARES Act funding based on alignment with CARES Act guidance and strategies adopted by the Scott County Board and needs of the County. The committee approved moving forward with a Board Room audio upgrade project.

The current microphone and speaker system in the County Board Room was last replaced in 2000 and is nearing the end of its useful life. The current system does not support public or staff interaction in a remote environment, limiting discussion and contributions and requiring workarounds in order to provide the most limited of discussion and participation. The replacement solution will allow for remote participation in County Board meetings as well as other public meetings, providing a safe environment for the public and the staff. This project will replace the gooseneck microphones, wireless microphones (handheld and lavalier), and the existing ceiling speakers in the Board Room and hallway.

EPA is part of a University of Minnesota (UMN) Contract. UMN extends this agreement to government entities, and by utilizing this Contract's pricing, the products and services are at a discounted rate. The project cost will be an amount not to exceed \$26,621.79.

The usage of these funds for the above outlined purposes are considered allowable based on guidance provided by the U.S. Department of the Treasury. The project listed above fits within the following areas of the guidance:

- Cover the costs of teleworking improvement for employees. The primary focus of these funds is to provide remote public meetings capabilities for employees the public, and to implement or enhance new software applications that allow for the County to meet COVID-19 public health precautions, such as software and licenses to allow for remote meetings with clients.
 - o Authorized under "Coronavirus Relief Fund Guidance to State, Territorial, Local, and Tribal Governments Updated June 30, 2020" - "Nonexclusive examples of eligible expenditures" – Number 4 "Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as: Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions."

Fiscal Impact:

Scott County has received \$17,719,998 in CARES relief funds. By a resolution on August 4, 2020 a CARES Act Special Revenue Fund was created, the County Budget amended, and the funds deposited. These purchases will be coded to utilize these funds, having no impact on the Scott County operating budget.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-161
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-161; AUTHORIZING ENTERING INTO AN AGREEMENT WITH
EPA AUDIO VISUAL, INC. FOR THE PURCHASE AND INSTALLATION OF AUDIO EQUIPMENT
USING CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT FUNDING**

WHEREAS, COVID-19, a global pandemic has caused a public health emergency at all levels of government in the United States; and

WHEREAS, response and support to affected individuals, communities, medical systems, business, and government has caused significant impact to the County as a whole; and

WHEREAS, COVID-19, has caused and will continue to cause increased service needs on County functions and additional work for staff; and

WHEREAS, COVID-19 has had significant impacts on the businesses and residents of Scott County; and

WHEREAS, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, passed on March 27, 2020, provides over \$2 trillion in federal economic relief to protect the American people from the public health and economic impacts of COVID-19; and

WHEREAS, Governor Tim Walz on June 26, 2020 formally allocated funding for counties, cities, and townships in the State of Minnesota, to provide support and economic relief on a local level, with Scott County receiving \$17,719,998 from the CARES Act; and

WHEREAS, at its work session on July 7, 2020 the Scott County Board discussed their priorities for dissemination of the funds and affirmed their direction during the July 21, 2020 Board meeting; and

WHEREAS, the Federal CARES Act funds are subject to State and Federal spending requirements and subject to State and Federal Audit; and

WHEREAS, the Scott County Board of Commissioners has been presented and has approved a plan for the use of the County's allocation; and

WHEREAS, the County's plan is consistent with the United States Department of the Treasury's "Coronavirus Relief Fund Guidance to State, Territorial, Local, and Tribal Governments Updated June 30, 2020" attached and hereby incorporated as Exhibit A and "Coronavirus Relief Fund Frequently Asked Questions Updated as of August 10, 2020" attached and hereby incorporated as Exhibit B.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-161
Motion by Commissioner:	
Seconded by Commissioner:	

NOW THEREFORE BE IT RESOLVED, that the Scott County Board of Commissioners does hereby authorize entering into an Agreement with EPA Audio Visual, Inc. (EPA) for the Purchase and Installation of Audio Equipment in the amount of \$26,621.79 using the CARES Act special revenue fund.

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October, 2020.

County Administrator

Administrator's Designee

Coronavirus Relief Fund
Guidance for State, Territorial, Local, and Tribal Governments
Updated June 30, 2020¹

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.²

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

Necessary expenditures incurred due to the public health emergency

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

Costs not accounted for in the budget most recently approved as of March 27, 2020

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the

¹ This version updates the guidance provided under “Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020”.

² See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020

Finally, the CARES Act provides that payments from the Fund may only be used to cover costs that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (the “covered period”). Putting this requirement together with the other provisions discussed above, section 601(d) may be summarized as providing that a State, local, or tribal government may use payments from the Fund only to cover previously unbudgeted costs of necessary expenditures incurred due to the COVID-19 public health emergency during the covered period.

Initial guidance released on April 22, 2020, provided that the cost of an expenditure is incurred when the recipient has expended funds to cover the cost. Upon further consideration and informed by an understanding of State, local, and tribal government practices, Treasury is clarifying that for a cost to be considered to have been incurred, performance or delivery must occur during the covered period but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred). For instance, in the case of a lease of equipment or other property, irrespective of when payment occurs, the cost of a lease payment shall be considered to have been incurred for the period of the lease that is within the covered period, but not otherwise. Furthermore, in all cases it must be necessary that performance or delivery take place during the covered period. Thus the cost of a good or service received during the covered period will not be considered eligible under section 601(d) if there is no need for receipt until after the covered period has expired.

Goods delivered in the covered period need not be used during the covered period in all cases. For example, the cost of a good that must be delivered in December in order to be available for use in January could be covered using payments from the Fund. Additionally, the cost of goods purchased in bulk and delivered during the covered period may be covered using payments from the Fund if a portion of the goods is ordered for use in the covered period, the bulk purchase is consistent with the recipient’s usual procurement policies and practices, and it is impractical to track and record when the items were used. A recipient may use payments from the Fund to purchase a durable good that is to be used during the current period and in subsequent periods if the acquisition in the covered period was necessary due to the public health emergency.

Given that it is not always possible to estimate with precision when a good or service will be needed, the touchstone in assessing the determination of need for a good or service during the covered period will be reasonableness at the time delivery or performance was sought, *e.g.*, the time of entry into a procurement contract specifying a time for delivery. Similarly, in recognition of the likelihood of supply chain disruptions and increased demand for certain goods and services during the COVID-19 public health emergency, if a recipient enters into a contract requiring the delivery of goods or performance of services by December 30, 2020, the failure of a vendor to complete delivery or services by December 30, 2020, will not affect the ability of the recipient to use payments from the Fund to cover the cost of such goods or services if the delay is due to circumstances beyond the recipient’s control.

This guidance applies in a like manner to costs of subrecipients. Thus, a grant or loan, for example, provided by a recipient using payments from the Fund must be used by the subrecipient only to purchase (or reimburse a purchase of) goods or services for which receipt both is needed within the covered period and occurs within the covered period. The direct recipient of payments from the Fund is ultimately responsible for compliance with this limitation on use of payments from the Fund.

Nonexclusive examples of eligible expenditures

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
 - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
 - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
 - Costs of providing COVID-19 testing, including serological testing.
 - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
 - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
 - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
 - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
 - Expenses for disinfection of public areas and other facilities, e.g., nursing homes, in response to the COVID-19 public health emergency.
 - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
 - Expenses for public safety measures undertaken in response to COVID-19.
 - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
 - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
 - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
 - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.

- Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
 - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
 - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
 - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
 - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
 - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
 6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

Nonexclusive examples of ineligible expenditures³

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.⁴
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

³ In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

⁴ See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

Exhibit B

Coronavirus Relief Fund Frequently Asked Questions Updated as of August 10, 2020¹

The following answers to frequently asked questions supplement Treasury's Coronavirus Relief Fund ("Fund") Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020, ("Guidance").² Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act").

A. Eligible Expenditures

1. *Are governments required to submit proposed expenditures to Treasury for approval?*

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

2. *The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the "substantially dedicated" condition?*

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

3. *The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a "substantially different use" for purposes of the Fund eligibility?*

Costs incurred for a "substantially different use" include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty's ordinary responsibilities.

¹ On August 10, 2020, these Frequently Asked Questions were revised to add Questions 49–52. The previous revision was made on July 8.

² The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

Note that a public function does not become a “substantially different use” merely because it is provided from a different location or through a different manner. For example, although developing online instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

4. *May a State receiving a payment transfer funds to a local government?*

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

5. *May a unit of local government receiving a Fund payment transfer funds to another unit of government?*

Yes. For example, a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its State, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, a transfer from a county to a constituent city would not be permissible if the funds were intended to be used simply to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.

6. *Is a Fund payment recipient required to transfer funds to a smaller, constituent unit of government within its borders?*

No. For example, a county recipient is not required to transfer funds to smaller cities within the county’s borders.

7. *Are recipients required to use other federal funds or seek reimbursement under other federal programs before using Fund payments to satisfy eligible expenses?*

No. Recipients may use Fund payments for any expenses eligible under section 601(d) of the Social Security Act outlined in the Guidance. Fund payments are not required to be used as the source of funding of last resort. However, as noted below, recipients may not use payments from the Fund to cover expenditures for which they will receive reimbursement.

8. *Are there prohibitions on combining a transaction supported with Fund payments with other CARES Act funding or COVID-19 relief Federal funding?*

Recipients will need to consider the applicable restrictions and limitations of such other sources of funding. In addition, expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds, are not eligible uses of Fund payments.

9. *Are States permitted to use Fund payments to support state unemployment insurance funds generally?*

To the extent that the costs incurred by a state unemployment insurance fund are incurred due to the COVID-19 public health emergency, a State may use Fund payments to make payments to its respective state unemployment insurance fund, separate and apart from such State's obligation to the unemployment insurance fund as an employer. This will permit States to use Fund payments to prevent expenses related to the public health emergency from causing their state unemployment insurance funds to become insolvent.

10. *Are recipients permitted to use Fund payments to pay for unemployment insurance costs incurred by the recipient as an employer?*

Yes, Fund payments may be used for unemployment insurance costs incurred by the recipient as an employer (for example, as a reimbursing employer) related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

11. *The Guidance states that the Fund may support a "broad range of uses" including payroll expenses for several classes of employees whose services are "substantially dedicated to mitigating or responding to the COVID-19 public health emergency." What are some examples of types of covered employees?*

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

12. *In some cases, first responders and critical health care workers that contract COVID-19 are eligible for workers' compensation coverage. Is the cost of this expanded workers compensation coverage eligible?*

Increased workers compensation cost to the government due to the COVID-19 public health emergency incurred during the period beginning March 1, 2020, and ending December 30, 2020, is an eligible expense.

13. *If a recipient would have decommissioned equipment or not renewed a lease on particular office space or equipment but decides to continue to use the equipment or to renew the lease in order to respond to the public health emergency, are the costs associated with continuing to operate the equipment or the ongoing lease payments eligible expenses?*

Yes. To the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance, such expenses would be eligible.

14. *May recipients provide stipends to employees for eligible expenses (for example, a stipend to employees to improve telework capabilities) rather than require employees to incur the eligible cost and submit for reimbursement?*

Expenditures paid for with payments from the Fund must be limited to those that are necessary due to the public health emergency. As such, unless the government were to determine that providing assistance in the form of a stipend is an administrative necessity, the government should provide such assistance on a reimbursement basis to ensure as much as possible that funds are used to cover only eligible expenses.

15. *May Fund payments be used for COVID-19 public health emergency recovery planning?*

Yes. Expenses associated with conducting a recovery planning project or operating a recovery coordination office would be eligible, if the expenses otherwise meet the criteria set forth in section 601(d) of the Social Security Act outlined in the Guidance.

16. *Are expenses associated with contact tracing eligible?*

Yes, expenses associated with contact tracing are eligible.

17. *To what extent may a government use Fund payments to support the operations of private hospitals?*

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

18. *May payments from the Fund be used to assist individuals with enrolling in a government benefit program for those who have been laid off due to COVID-19 and thereby lost health insurance?*

Yes. To the extent that the relevant government official determines that these expenses are necessary and they meet the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance, these expenses are eligible.

19. *May recipients use Fund payments to facilitate livestock depopulation incurred by producers due to supply chain disruptions?*

Yes, to the extent these efforts are deemed necessary for public health reasons or as a form of economic support as a result of the COVID-19 health emergency.

20. *Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense?*

Yes, assuming that the recipient considers the grants to be a necessary expense incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of Fund payments under section 601(d) of the Social Security Act outlined in the Guidance. As a general matter, providing assistance to recipients to enable them to meet property tax requirements would not be an eligible use of funds, but exceptions may be made in the case of assistance designed to prevent foreclosures.

21. *May recipients create a “payroll support program” for public employees?*

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

22. *May recipients use Fund payments to cover employment and training programs for employees that have been furloughed due to the public health emergency?*

Yes, this would be an eligible expense if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

23. *May recipients use Fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency?*

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs. Such assistance should be structured in a manner to ensure as much as possible, within the realm of what is administratively feasible, that such assistance is necessary.

24. *The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a “small business,” and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?*

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

25. *The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?*

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

26. *May Fund payments be used to assist impacted property owners with the payment of their property taxes?*

Fund payments may not be used for government revenue replacement, including the provision of assistance to meet tax obligations.

27. *May Fund payments be used to replace foregone utility fees? If not, can Fund payments be used as a direct subsidy payment to all utility account holders?*

Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees. Fund payments may be used for subsidy payments to electricity account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, if determined to be a necessary expenditure, a government could provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services.

28. *Could Fund payments be used for capital improvement projects that broadly provide potential economic development in a community?*

In general, no. If capital improvement projects are not necessary expenditures incurred due to the COVID-19 public health emergency, then Fund payments may not be used for such projects.

However, Fund payments may be used for the expenses of, for example, establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity or improve mitigation measures, including related construction costs.

29. *The Guidance includes workforce bonuses as an example of ineligible expenses but provides that hazard pay would be eligible if otherwise determined to be a necessary expense. Is there a specific definition of “hazard pay”?*

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

30. *The Guidance provides that ineligible expenditures include “[p]ayroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” Is this intended to relate only to public employees?*

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers’ employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

31. *May counties pre-pay with CARES Act funds for expenses such as a one or two-year facility lease, such as to house staff hired in response to COVID-19?*

A government should not make prepayments on contracts using payments from the Fund to the extent that doing so would not be consistent with its ordinary course policies and procedures.

32. *Must a stay-at-home order or other public health mandate be in effect in order for a government to provide assistance to small businesses using payments from the Fund?*

No. The Guidance provides, as an example of an eligible use of payments from the Fund, expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. Such assistance may be provided using amounts received from the Fund in the absence of a requirement to close businesses if the relevant government determines that such expenditures are necessary in response to the public health emergency.

33. *Should States receiving a payment transfer funds to local governments that did not receive payments directly from Treasury?*

Yes, provided that the transferred funds are used by the local government for eligible expenditures under the statute. To facilitate prompt distribution of Title V funds, the CARES Act authorized Treasury to make direct payments to local governments with populations in excess of 500,000, in amounts equal to 45% of the local government's per capita share of the statewide allocation. This statutory structure was based on a recognition that it is more administratively feasible to rely on States, rather than the federal government, to manage the transfer of funds to smaller local governments. Consistent with the needs of all local governments for funding to address the public health emergency, States should transfer funds to local governments with populations of 500,000 or less, using as a benchmark the per capita allocation formula that governs payments to larger local governments. This approach will ensure equitable treatment among local governments of all sizes.

For example, a State received the minimum \$1.25 billion allocation and had one county with a population over 500,000 that received \$250 million directly. The State should distribute 45 percent of the \$1 billion it received, or \$450 million, to local governments within the State with a population of 500,000 or less.

34. *May a State impose restrictions on transfers of funds to local governments?*

Yes, to the extent that the restrictions facilitate the State's compliance with the requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance and other applicable requirements such as the Single Audit Act, discussed below. Other restrictions are not permissible.

35. *If a recipient must issue tax anticipation notes (TANs) to make up for tax due date deferrals or revenue shortfalls, are the expenses associated with the issuance eligible uses of Fund payments?*

If a government determines that the issuance of TANs is necessary due to the COVID-19 public health emergency, the government may expend payments from the Fund on the interest expense payable on TANs by the borrower and unbudgeted administrative and transactional costs, such as necessary payments to advisors and underwriters, associated with the issuance of the TANs.

36. *May recipients use Fund payments to expand rural broadband capacity to assist with distance learning and telework?*

Such expenditures would only be permissible if they are necessary for the public health emergency. The cost of projects that would not be expected to increase capacity to a significant extent until the need for distance learning and telework have passed due to this public health emergency would not be necessary due to the public health emergency and thus would not be eligible uses of Fund payments.

37. *Are costs associated with increased solid waste capacity an eligible use of payments from the Fund?*

Yes, costs to address increase in solid waste as a result of the public health emergency, such as relates to the disposal of used personal protective equipment, would be an eligible expenditure.

38. *May payments from the Fund be used to cover across-the-board hazard pay for employees working during a state of emergency?*

No. The Guidance says that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Hazard pay is a form of payroll expense and is subject to this limitation, so Fund payments may only be used to cover hazard pay for such individuals.

39. *May Fund payments be used for expenditures related to the administration of Fund payments by a State, territorial, local, or Tribal government?*

Yes, if the administrative expenses represent an increase over previously budgeted amounts and are limited to what is necessary. For example, a State may expend Fund payments on necessary administrative expenses incurred with respect to a new grant program established to disburse amounts received from the Fund.

40. *May recipients use Fund payments to provide loans?*

Yes, if the loans otherwise qualify as eligible expenditures under section 601(d) of the Social Security Act as implemented by the Guidance. Any amounts repaid by the borrower before December 30, 2020, must be either returned to Treasury upon receipt by the unit of government providing the loan or used for another expense that qualifies as an eligible expenditure under section 601(d) of the Social Security Act. Any amounts not repaid by the borrower until after December 30, 2020, must be returned to Treasury upon receipt by the unit of government lending the funds.

41. *May Fund payments be used for expenditures necessary to prepare for a future COVID-19 outbreak?*

Fund payments may be used only for expenditures necessary to address the current COVID-19 public health emergency. For example, a State may spend Fund payments to create a reserve of personal protective equipment or develop increased intensive care unit capacity to support regions in its jurisdiction not yet affected, but likely to be impacted by the current COVID-19 pandemic.

42. *May funds be used to satisfy non-federal matching requirements under the Stafford Act?*

Yes, payments from the Fund may be used to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19-related costs that otherwise satisfy the Fund's eligibility criteria and the Stafford Act. Regardless of the use of Fund payments for such purposes, FEMA funding is still dependent on FEMA's determination of eligibility under the Stafford Act.

43. *Must a State, local, or tribal government require applications to be submitted by businesses or individuals before providing assistance using payments from the Fund?*

Governments have discretion to determine how to tailor assistance programs they establish in response to the COVID-19 public health emergency. However, such a program should be structured in such a manner as will ensure that such assistance is determined to be necessary in response to the COVID-19 public health emergency and otherwise satisfies the requirements of the CARES Act and other applicable law. For example, a per capita payment to residents of a particular jurisdiction without an assessment of individual need would not be an appropriate use of payments from the Fund.

44. *May Fund payments be provided to non-profits for distribution to individuals in need of financial assistance, such as rent relief?*

Yes, non-profits may be used to distribute assistance. Regardless of how the assistance is structured, the financial assistance provided would have to be related to COVID-19.

45. *May recipients use Fund payments to remarket the recipient's convention facilities and tourism industry?*

Yes, if the costs of such remarketing satisfy the requirements of the CARES Act. Expenses incurred to publicize the resumption of activities and steps taken to ensure a safe experience may be needed due to the public health emergency. Expenses related to developing a long-term plan to reposition a recipient's convention and tourism industry and infrastructure would not be incurred due to the public health emergency and therefore may not be covered using payments from the Fund.

46. *May a State provide assistance to farmers and meat processors to expand capacity, such to cover overtime for USDA meat inspectors?*

If a State determines that expanding meat processing capacity, including by paying overtime to USDA meat inspectors, is a necessary expense incurred due to the public health emergency, such as if increased capacity is necessary to allow farmers and processors to donate meat to food banks, then such expenses are eligible expenses, provided that the expenses satisfy the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance.

47. *The guidance provides that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. May Fund payments be used to cover such an employee's entire payroll cost or just the portion of time spent on mitigating or responding to the COVID-19 public health emergency?*

As a matter of administrative convenience, the entire payroll cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible, provided that such payroll costs are incurred by December 30, 2020. An employer may also track time spent by employees related to COVID-19 and apply Fund payments on that basis but would need to do so consistently within the relevant agency or department.

48. *May Fund payments be used to cover increased administrative leave costs of public employees who could not telework in the event of a stay at home order or a case of COVID-19 in the workplace?*

The statute requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. As stated in the Guidance, a cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget or (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. If the cost of an employee was allocated to administrative leave to a greater extent than was expected, the cost of such administrative leave may be covered using payments from the Fund.

49. *Are States permitted to use Coronavirus Relief Fund payments to satisfy non-federal matching requirements under the Stafford Act, including “lost wages assistance” authorized by the Presidential Memorandum on Authorizing the Other Needs Assistance Program for Major Disaster Declarations Related to Coronavirus Disease 2019 (August 8, 2020)?*

Yes. As previous guidance has stated, payments from the Fund may be used to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19-related costs that otherwise satisfy the Fund’s eligibility criteria and the Stafford Act. States are fully permitted to use payments from the Fund to satisfy 100% of their cost share for lost wages assistance recently made available under the Stafford Act.

50. *At what point would costs be considered to be incurred in the case of a grant made by a State, local, or tribal government to cover interest and principal amounts of a loan, such as might be provided as part of a small business assistance program in which the loan is made by a private institution?*

A grant made to cover interest and principal costs of a loan, including interest and principal due after the period that begins on March 1, 2020, and ends on December 30, 2020 (the “covered period”), will be considered to be incurred during the covered period if (i) the full amount of the loan is advanced to the borrower within the covered period and (ii) the proceeds of the loan are used by the borrower to cover expenses incurred during the covered period. In addition, if these conditions are met, the amount of the grant will be considered to have been used during the covered period for purposes of the requirement that expenses be incurred within the covered period. Such a grant would be analogous to a loan provided by the Fund recipient itself that incorporates similar loan forgiveness provisions. As with any other assistance provided by a Fund recipient, such a grant would need to be determined by the recipient to be necessary due to the public health emergency.

51. *If governments use Fund payments as described in the Guidance to establish a grant program to support businesses, would those funds be considered gross income taxable to a business receiving the grant under the Internal Revenue Code (Code)?*

Please see the answer provided by the Internal Revenue Service (IRS) available at <https://www.irs.gov/newsroom/cares-act-coronavirus-relief-fund-frequently-asked-questions>.

52. *If governments use Fund payments as described in the Guidance to establish a loan program to support businesses, would those funds be considered gross income taxable to a business receiving the loan under the Code?*

Please see the answer provided by the IRS available at <https://www.irs.gov/newsroom/cares-act-coronavirus-relief-fund-frequently-asked-questions>.

B. Questions Related to Administration of Fund Payments

1. *Do governments have to return unspent funds to Treasury?*

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the Fund that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

2. *What records must be kept by governments receiving payment?*

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act.

3. *May recipients deposit Fund payments into interest bearing accounts?*

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government's general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

4. *May governments retain assets purchased with payments from the Fund?*

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

5. *What rules apply to the proceeds of disposition or sale of assets acquired using payments from the Fund?*

If such assets are disposed of prior to December 30, 2020, the proceeds would be subject to the restrictions on the eligible use of payments from the Fund provided by section 601(d) of the Social Security Act.

6. *Are Fund payments to State, territorial, local, and tribal governments considered grants?*

No. Fund payments made by Treasury to State, territorial, local, and Tribal governments are not considered to be grants but are "other financial assistance" under 2 C.F.R. § 200.40.

7. *Are Fund payments considered federal financial assistance for purposes of the Single Audit Act?*

Yes, Fund payments are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

8. *Are Fund payments subject to other requirements of the Uniform Guidance?*

Fund payments are subject to the following requirements in the Uniform Guidance (2 C.F.R. Part 200): 2 C.F.R. § 200.303 regarding internal controls, 2 C.F.R. §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

9. *Is there a Catalog of Federal Domestic Assistance (CFDA) number assigned to the Fund?*

Yes. The CFDA number assigned to the Fund is 21.019.

10. *If a State transfers Fund payments to its political subdivisions, would the transferred funds count toward the subrecipients' total funding received from the federal government for purposes of the Single Audit Act?*

Yes. The Fund payments to subrecipients would count toward the threshold of the Single Audit Act and 2 C.F.R. part 200, subpart F re: audit requirements. Subrecipients are subject to a single audit or program-specific audit pursuant to 2 C.F.R. § 200.501(a) when the subrecipients spend \$750,000 or more in federal awards during their fiscal year.

11. *Are recipients permitted to use payments from the Fund to cover the expenses of an audit conducted under the Single Audit Act?*

Yes, such expenses would be eligible expenditures, subject to the limitations set forth in 2 C.F.R. § 200.425.

12. *If a government has transferred funds to another entity, from which entity would the Treasury Department seek to recoup the funds if they have not been used in a manner consistent with section 601(d) of the Social Security Act?*

The Treasury Department would seek to recoup the funds from the government that received the payment directly from the Treasury Department. State, territorial, local, and Tribal governments receiving funds from Treasury should ensure that funds transferred to other entities, whether pursuant to a grant program or otherwise, are used in accordance with section 601(d) of the Social Security Act as implemented in the Guidance.

AGENDA # 6.2
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Transportation Department	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Program Delivery		
PRESENTER:	Tony Winiecki, X8008	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	CP 42-17	TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution 2020-162; Authorizing Final Payment to SM Hentges & Sons, Inc. in the Amount of \$1,000 for County Project 42-17 for County Highway 42 and Trunk Highway 13 Intersection Improvements		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution 2020-162; Authorizing Final Payment to SM Hentges & Sons, Inc. in the Amount of \$1,000 for County Project 42-17 for County Highway 42 and Trunk Highway 13 Intersection Improvements.

This project improves safety and operational improvements along the County Highway (CH) 42 corridor between Boone Avenue and Louisiana Avenue. CH 42 is an important east-west principal arterial corridor in the County and the CH 42 and Trunk Highway (TH) 13 intersection is one of the busiest intersections on the County transportation system.

Improvements included complete roadway reconstruction, access modifications and closures, addition of new intersection turn lanes and existing turn lane capacity improvements, raised median, pavement rehabilitation, trails, and pedestrian improvements. The project replaced and upgraded the traffic signal systems on CH 42 at the intersections Rutgers Avenue, TH 13, and Quebec Avenue including improved pedestrian amenities. Construction of trails and sidewalks along both sides of CH 42 completed gaps in the pedestrian and bike system through the project area and reconstructed trail intersections to comply with the Americans with Disabilities Act.

The project was advertised for bids and a bid opening was held on March 13, 2018. Six bids were received and SM Hentges & Sons, Inc., was the lowest responsible bid at \$8,668,061.94.

The original contract amount was \$8,668,061.94 with change orders resulting in a final contract amount of \$8,701,187.95; 0.3% higher than the bid. To date \$8,700,187.95 has been paid to the contractor, leaving a balance of \$1,000.

This project was programmed for 2018 construction in the 2018-2027 Transportation Improvement Program (TIP). The project was one of the regional projects funded using Scott County Transportation Sales Tax. Both the County and City (trail, curb, local signal legs, storm sewer, etc.) cost share was paid out of the Transportation Tax. The TIP funding programmed for construction was \$9,560,000. The Minnesota Department of Transportation participated in the costs of the project and contributed \$150,000 for engineering and construction costs, and furnished materials for the traffic signal system at TH 13 and CH 42.

Staff recommends approval of the final contract payment amount. All work has been satisfactorily performed and the necessary closeout documentation has been completed by the contractor and reviewed by the County Engineer.

Fiscal Impact:
None

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-162
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION 2020-162; AUTHORIZING FINAL PAYMENT TO SM HENTGES & SONS, INC.
IN THE AMOUNT OF \$1,000 FOR COUNTY PROJECT 42-17 FOR COUNTY HIGHWAY 42
AND TRUNK HIGHWAY 13 INTERSECTION IMPROVEMENTS**

WHEREAS, the County Project 42-17 was advertised for bids and a bid opening was held on March 13, 2018. Six bids were received and SM Hentges & Sons, Inc., was the lowest responsible bid at \$8,668,061.94; and

WHEREAS, the original contract amount was \$8,668,061.94 with change orders resulting in a final contract amount of \$8,701,187.95; 0.3% higher than the bid. To date \$8,700,187.95 has been paid to the contractor, leaving a balance of \$1,000; and

WHEREAS, the project was programmed for 2018 construction in the 2018-2027 Transportation Improvement Program (TIP); and

WHEREAS, staff recommends approval of the final contract payment amount. All work has been satisfactorily performed and the necessary closeout documentation has been completed by the contractor and reviewed by the County Engineer.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Scott, Minnesota, that the Chairperson of the Board is authorized to accept said completed project and authorizes final payment to SM Hentges & Sons, Inc. in the amount of \$1,000.

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)

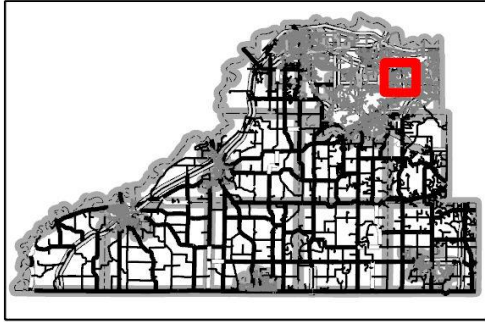
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October, 2020.

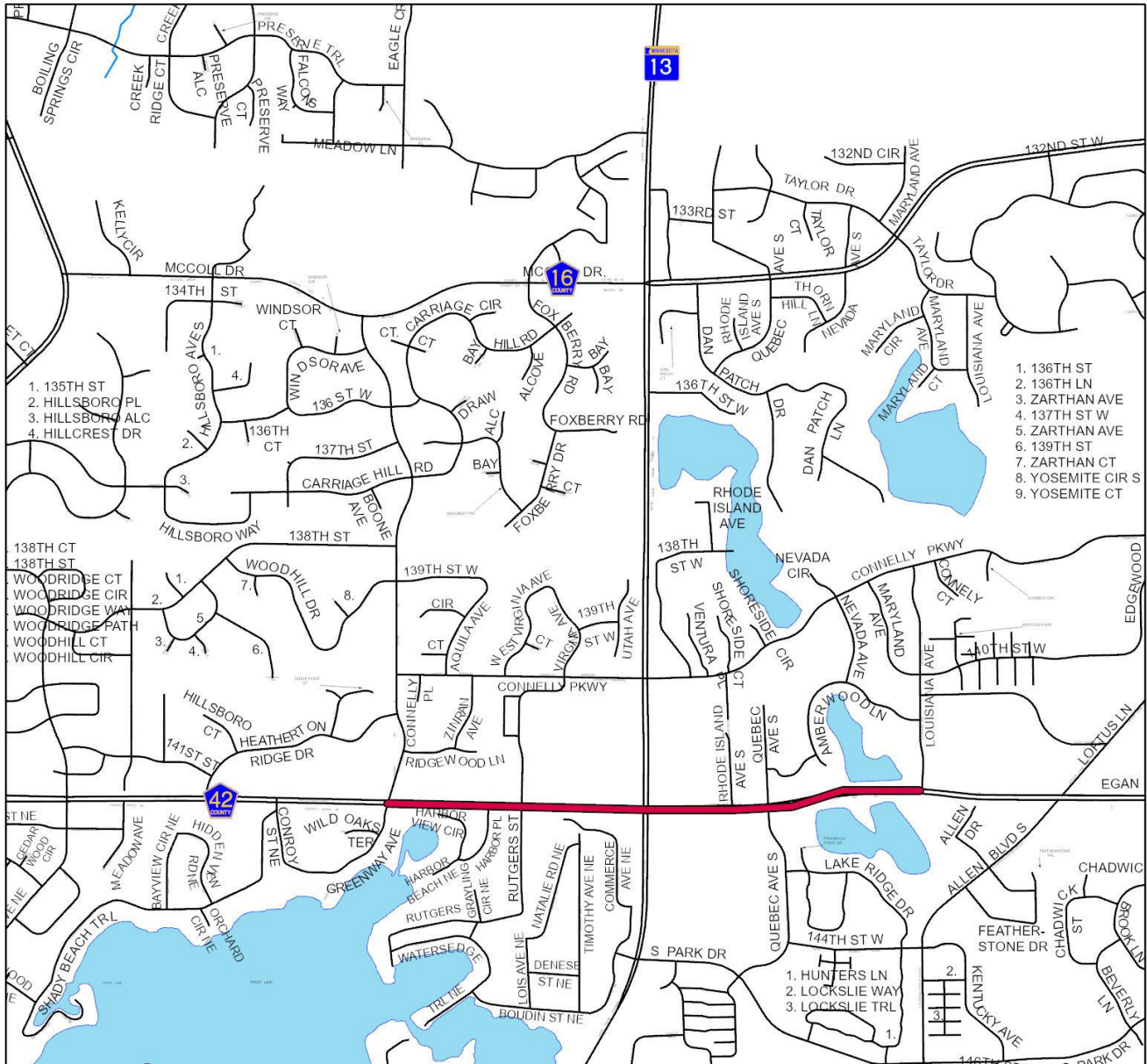
County Administrator

Administrator's Designee



SCOTT COUNTY

2020 RBA
CH 42 at TH 13
CP 42-17



This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. Scott County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact the Scott County Surveyors Office.

0 0.1 0.2 0.4 0.6 Miles



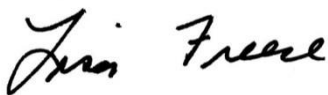
Date: 10/5/2020

AGENDA # 6.3
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Transportation Services-Highway Operations	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:			
PRESENTER:	Joseph Wiita--8063	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	2020 Trail Sealcoats	TIME REQUESTED:	NA
ACTION REQUESTED:	Adopt Resolution 2020-163; Authorizing Final Payment to MP Asphalt Maintenance, Inc. in the Amount of \$1,000.00 for the 2020 Trail Sealcoat Project.		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
	
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution 2020-163; Authorizing Final Payment to MP Asphalt Maintenance, Inc. in the Amount of \$1,000.00 for the 2020 Trail Sealcoat Project.

In 2019, County Highway Department staff met with the City Maintenance Supervisor Group. It was agreed to start preventative maintenance program on trails beginning in 2020 and 2021. All trails along County highways will receive a slurry seal. It was also decided to perform this contract as a joint purchasing arrangement. Cities elected to participate in joint purchasing for City trail preventative maintenance. The Cities of Waconia and Eagan requested to be included in joint purchasing for trail maintenance services.

The Cooperative Agreement was approved by the Scott County Board on December 5, 2019 and executed by each City. It provided County highway trails cost sharing between the County and the Cities within Scott County. The joint purchasing was at the sole cost to the requesting party for projects outside of the County's Trail Maintenance Program.

In the bid, 5.28 miles of County Highway trails in four Cities was part of the original contract work. The City of Belle Plaine requested that County Highway (CH) 5 between CH 7 and CH 64; and CH 64 between TH 169 and CH 5 be added to the work. The contractor honored the bid price for this additional work adding \$3,182 of costs, split equally between the City and the County. With this added work, the County completed trail sealcoats on 5.98 miles of County Highway trails in 2020 under this contract. Additionally, the City of Shakopee requested to opt out of this County contract and the City seal coated another 8.57 miles of trail along County State Aid Highway (CSAH) 16, CSAH 17, CSAH 69, and CSAH 83, with the County sharing half of the cost.

Cities within the County and surrounding Counties were invited to participate in the trail sealcoat Contract as a collaborative effort. The 2020 participants were as follows:

- City of Savage
- City of Prior Lake
- City of Eagan
- City of Waconia

The project was advertised for bids and a bid opening was held on March 31, 2020. Four bids were received and MP Asphalt Maintenance, Inc. was the lowest responsible bid at \$99,406.54. The original contract amount was \$99,406.54 with added work in the City Belle Plaine increasing the cost to \$102,588.54. To date \$101,588.54 has been paid to the contractor, leaving a balance of \$1,000.00.

Agency	Cost Share	Additional Work	Contract Added work
Scott County Highway Trails	\$10,660.99		\$1,591.00
Scott County Parks PIP		\$394.74	
City of Savage	\$2,527.10	\$10,165.20	
City of Prior Lake	\$4,353.32	\$32,680.00	
City of Eagan		\$17,386.62	
City of Waconia		\$17,458.00	
City of Belle Plaine	\$961.05		\$1,591.00
City of Jordan	\$2,819.51		
Subtotals	\$21,311.98	\$78,084.56	\$3,182.00
Final Contract Total	\$102,588.54		

Funding for 2020 and 2021 for Scott County's share of trail preventative maintenance came from a one-time funding provided by the State Legislature in 2018 to Scott County for highway maintenance or construction that has been deposited in the County Road and Bridge Fund. The funds for the Murphy-Hanrehan Trail was in the 2020 Scott County Parks Improvement Plan (PIP). The remaining funds were collected via the Cooperative Agreements the County has with each of the Cities. All Cities participating in the joint purchasing have indicated to the County that the work is completed as bid.

Staff recommends approval of the final contract payment amount. All work has been satisfactorily performed and the necessary closeout documentation has been completed by the contractor and reviewed by the County Engineer.

Fiscal Impact:

None.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-163
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION 2020-163; AUTHORIZING FINAL PAYMENT TO MP ASPHALT MAINTENANCE, INC.
IN THE AMOUNT OF \$1,000.00 FOR THE 2020 TRAIL SEALCOAT PROJECT**

WHEREAS, the County advertised for trail sealcoat bids pursuant to Minnesota Statutes; and

WHEREAS, the Cities of Savage, Prior Lake, Waconia, Eagan, and Three Rivers Park District participated in the cost share for this project; and

WHEREAS, trail sealcoat bids were received on March 31, 2020. Four bids were received and MP Asphalt Maintenance, Inc. was the lowest responsible bid at \$99,406.54; and

WHEREAS, two additional trails were added after the bid increasing the contract amount to \$102,588.54. To date \$101,588.24 has been paid to the contractor, leaving a balance of \$1,000.00; and

WHEREAS, Staff recommends approval of the final contract payment amount. All work has been satisfactorily performed and the necessary closeout documentation has been completed by the contractor and reviewed by the County Engineer.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Scott, Minnesota, that the Chairperson of the Board is authorized to accept said completed project and authorizes final payment to MP Asphalt Maintenance, Inc. in the amount of \$1,000.00

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)

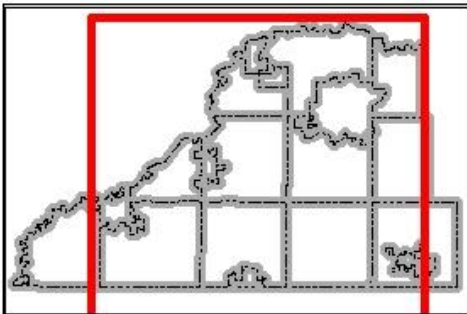
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October, 2020.

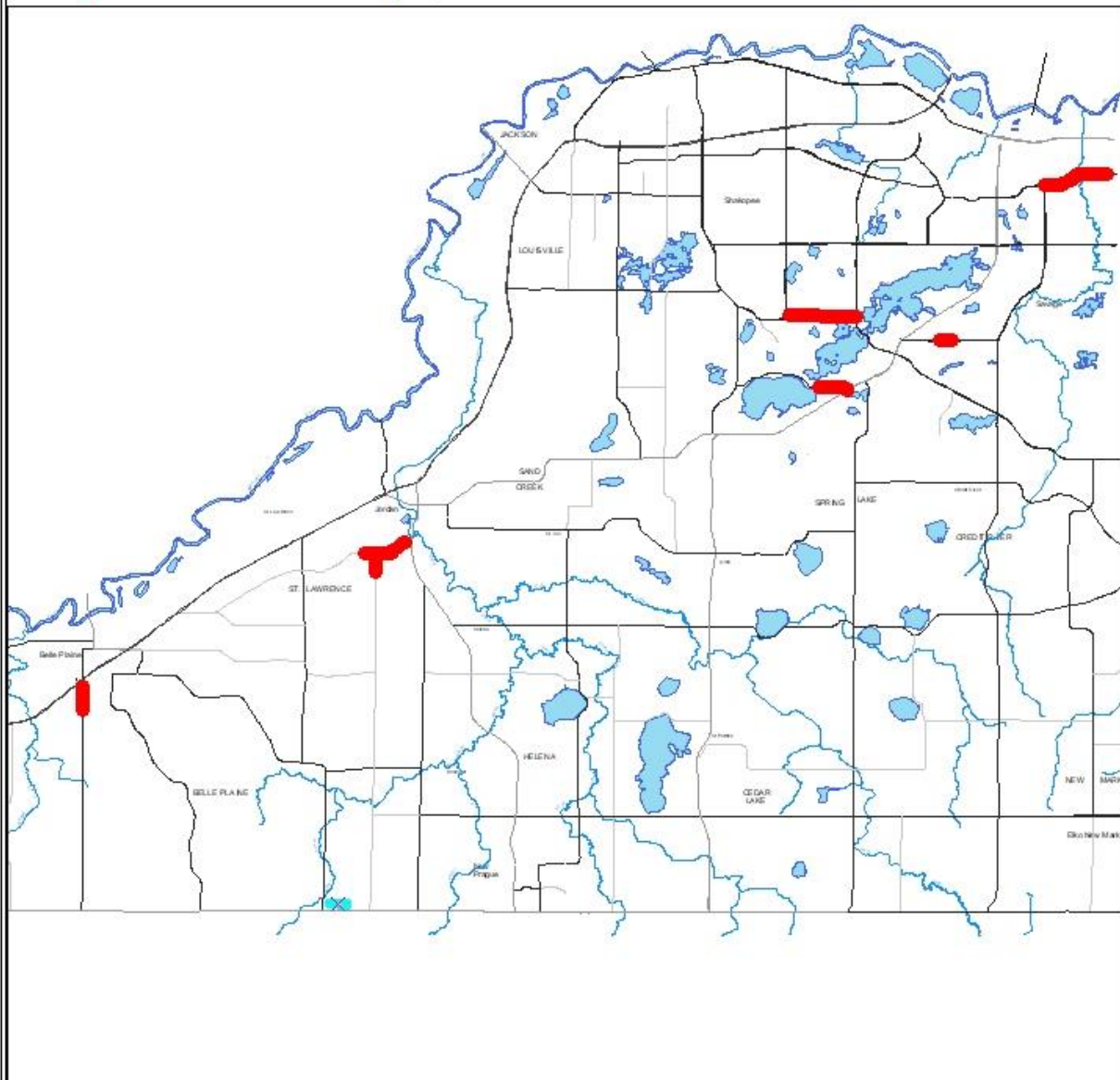
County Administrator

Administrator's Designee



SCOTT COUNTY

**2020 RBA
2020 Trail Sealcoats**



This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. Scott County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact the Scott County Surveyors Office.



0 0.75 1.5 3 4.5
Miles

Date: 4/13/2020

Scale:

R.F.:

1 inch = 500 ft.

AGENDA # 6.4
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION: ORIGINATING DEPARTMENT:	Transportation Services Highway Program Delivery	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PRESENTER:	Lisa Freese—8363	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	PA ROW	TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-164; Approving Execution of a Purchase Agreement and the Purchase of Real Property Located Along County Highway 17 in the City of Shakopee by an Early Voluntary Acquisition by Mutual Agreement		
CONTRACT/POLICY/GRANT:	<input checked="" type="checkbox"/> County Attorney Review <input checked="" type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-164; Approving Execution of a Purchase Agreement and the Purchase of Real Property Located Along County Highway (CH) 17 in the City of Shakopee by an Early Voluntary Acquisition by Mutual Agreement.

This is for the purchase of the entire property, which is improved with a single-family residence. The property is situated on the easterly side of CH 17 (Marschall Road) with direct access approximately 0.6 miles southerly of its intersection with CH 42. The property has an address of 3253 Marschall Road South in the City of Shakopee.

The fee owners contacted the County advising that they desire to sell the property. Staff advised that the County is an interested buyer on a voluntary basis by and between a willing seller and a willing buyer by mutual agreement of price, terms, and conditions, subject to County Board approval.

The County contracted with Integra Realty Resources (IRR), an independent licensed fee appraiser, to estimate the current market value of the property. IRR delivered an appraisal report concluding to a current market value of \$455,000. The owners (sellers) executed and delivered a Purchase Agreement for the purchase price, terms, and conditions which is subject to County Board approval. The terms and conditions include that the sellers may exercise an option to enter into an addendum, which is a Rent Back Agreement to continue residency as a tenant after closing, which allows the seller additional time in order to transition into their replacement housing.

The purchase of this property is consistent with the objectives of a CH 17 Corridor Study (2009). The Corridor Study evaluated the long-term vision of the CH 17 corridor as an important north-south principal arterial roadway in Scott County. The Corridor Study recommends improvements in geometrics and proposes a preliminary design concept for expansion from a two-lane highway to a divided four-lane highway.

The County is purchasing this property as an opportunity to remove and close existing private direct access onto CH 17, which is consistent with the objectives to manage the CH 17 corridor concurrently with highway projects or as such opportunities arise. The purchase of this property provides future right-of-way needs consistent with the strategies of the Corridor Study.

This acquisition will be funded using the Principal Arterial Right-of-Way Acquisition set aside in the 2020-2029 Transportation Improvement Program (TIP). There is \$819,000 programmed in 2020 for voluntary acquisitions on existing and planned principal arterial corridors.

Fiscal Impact:

None

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-164
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-164; APPROVING EXECUTION OF A PURCHASE AGREEMENT AND
THE PURCHASE OF REAL PROPERTY LOCATED ALONG COUNTY HIGHWAY 17 IN THE
CITY OF SHAKOPEE BY AN EARLY VOLUNTARY ACQUISITION BY MUTUAL AGREEMENT**

WHEREAS, the County is managing County Highway (CH) 17 as a principal arterial highway consistent with the guiding and objectives of a 2009 CH 17/Trunk Highway (TH) 13 Corridor Study; and

WHEREAS, the property is located at 3253 Marschall Road South with direct access onto CH 17, which will need to be removed or relocated to accomplish the objectives of the Corridor Study for transitioning to a principal arterial; and

WHEREAS, the Owner is a willing seller, who has accepted the price, terms, and conditions by executing and delivering a Purchase Agreement on a voluntary basis by mutual agreement with its price based upon an independent fee appraiser's opinion of market value in a sum of \$455,000 which is subject to Board of Commissioners approval; and

WHEREAS, the 2020-2029 Transportation Improvement Program (TIP) identified funding for Principal Arterial right-of-way acquisitions in the 2020 program year sufficient to cover this acquisition and closing costs.

NOW THEREFORE BE IT RESOLVED, the County Board of Commissioners in and for the County of Scott, Minnesota, hereby authorizes the Chairperson of the Board, Administrator, or Deputy Administrator to execute a Purchase Agreement for the property at 3253 Marschall Road South in the sum of \$455,000 plus closing costs subject to approval by the County Attorney's Office.

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October, 2020.

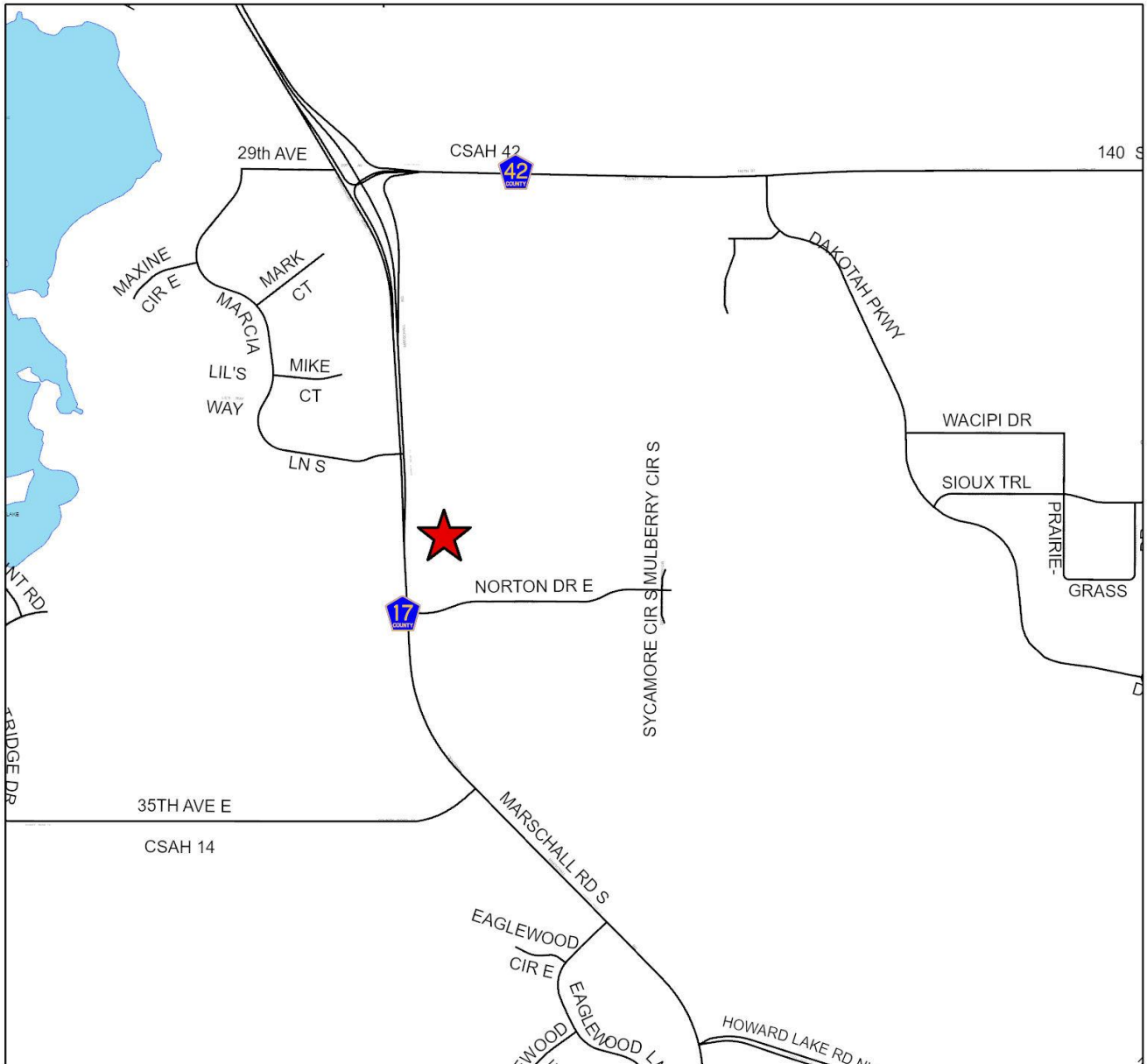
County Administrator

Administrator's Designee



SCOTT COUNTY

2020 RBA
CH 17 Right of Way



This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. Scott County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact the Scott County Surveyors Office.

0 0.070.15 0.3 0.45
Miles



Date: 10/7/2020

AGENDA # 6.5
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Transportation Services	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Highway Program Delivery		
PRESENTER:	Lisa Freese 8363	ATTACHMENTS:	<input type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	CP 17-31	TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-165; Approving Execution of a Purchase Agreement and the Purchase of Real Property by an Early Voluntary Acquisition by Mutual Agreement Located Along County Highway 17 in the City of Shakopee		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input checked="" type="checkbox"/> Risk Management Review	FISCAL:	<input checked="" type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda is to adopt Resolution No. 2020-165; Approving Execution of a Purchase Agreement and the Purchase of Real Property by an Early Voluntary Acquisition by Mutual Agreement Located Along County Highway 17 in the City of Shakopee

The property has an address of 1772 Marschall Rd S, Shakopee, Minnesota, 55379. This is a purchase of the entire property, which is improved with a single-family residence. The property abuts the westerly side of County Highway (CH) 17 (Marschall Road) approximately 500 feet southerly of its intersection with CH 16 (17th Avenue) and is opposite from St. Francis Regional Medical Center.

The fee owner contacted the County advising that they would like to sell the property. Staff advised that the County is an interested buyer on a voluntary basis between a willing seller and a willing buyer by mutual agreement of price, terms, and conditions, subject to County Board approval.

The County engaged Integra Realty Resources, an independent licensed fee appraiser, to estimate the current market value of the property and an appraisal report estimating a current market value in a sum of \$245,000 was delivered to the County. The fee owner executed a Purchase Agreement for acceptance of price, terms, and conditions by mutual agreement, which is subject to County Board approval.

The purchase of this property furthers the goals and objectives of a CH 17/Trunk Highway (TH) 13 Corridor Study (Sept. 2009). The Corridor Study identifies this corridor as an important north-south highway corridor, which is classified as an A-Minor Arterial Highway and guided as a Principal Arterial Highway. The purchase of this property preserves right-of-way for future roadway improvements and future extension of a trail. This purchase allows the closure of the private direct access onto CH 17, which will provide immediate benefit to its operations and safety.

This acquisition will be funded under CP 17-31 in the 2020-2029 Transportation Improvement Program (TIP). There is \$543,000 programmed in 2020 for voluntary acquisitions on the west side of CH 17 south of CH 16.

Fiscal Impact:

None

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-165
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-165; APPROVING EXECUTION OF A PURCHASE AGREEMENT AND
THE PURCHASE OF REAL PROPERTY BY AN EARLY VOLUNTARY ACQUISITION BY
MUTUAL AGREEMENT LOCATED ALONG COUNTY HIGHWAY 17 IN THE CITY OF SHAKOPEE**

WHEREAS, the County is managing County Highway (CH) 17) 13 Corridor Study; and

WHEREAS, removal of direct private accesses is an important goal of the management of that corridor consist with the Study; and

WHEREAS, the Owner of 1772 Marschall Rd S is a voluntary willing seller and the County is a voluntary willing buyer, who have negotiated price, terms, and conditions in a certain Purchase Agreement on a voluntary basis by mutual agreement which is contingent upon and subject to approval by the Board of Commissioners; and

WHEREAS, the 2020-2029 Transportation Improvement Program (TIP) has budgeted for voluntary early purchases along CH 17 under Project PW CP 17-31, which has sufficient budget balance to fund this purchase in fiscal year 2020.

NOW THEREFORE BE IT RESOLVED, the Board of Commissioners approves the purchase of the property at 1772 Marschall Rd S for a sum of \$245,000 from funds programmed in 2020-2029 Transportation Improvement Program for the purchase and closing costs for the identified parcel.

BE IT FINALLY RESOLVED, the County Board of Commissioners in and for the County of Scott, Minnesota, hereby authorizes the Chairperson of the Board, Administrator or Deputy Administrator to execute a Purchase Agreement in the sum of \$245,000 plus closing costs subject to approval by the County Attorney's Office.

COMMISSIONERS	VOTE			
Weckman Brekke	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

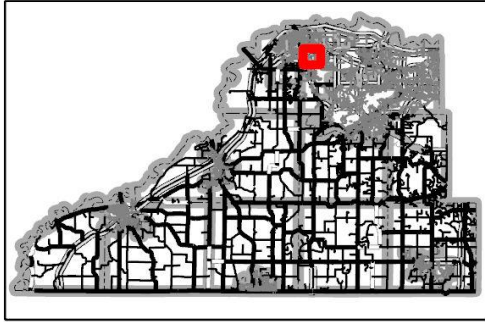
State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October, 2020.

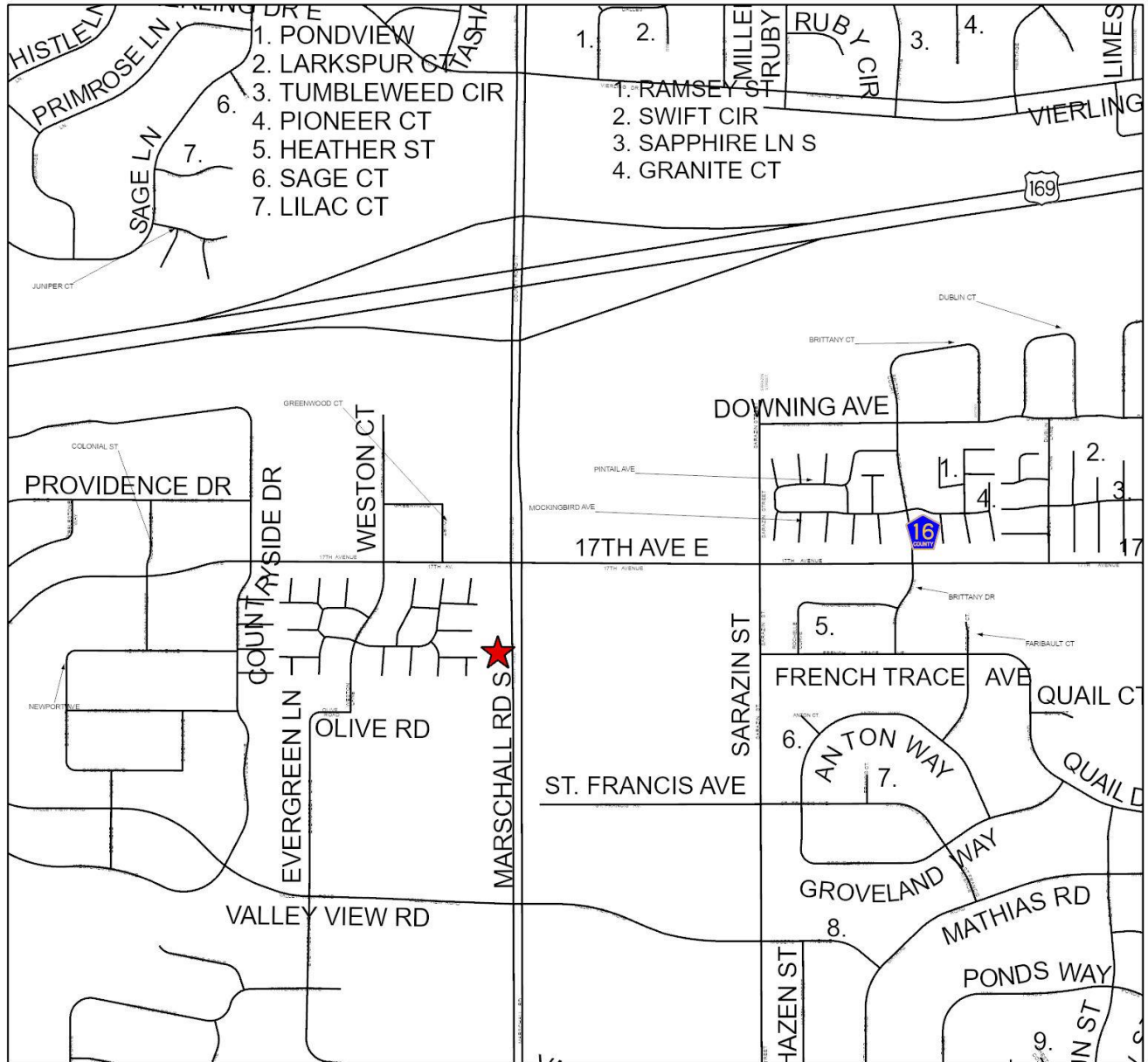
County Administrator

Administrator's Designee



SCOTT COUNTY

2020 RBA
CP 17-31



This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. Scott County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact the Scott County Surveyors Office.

0 0.05 0.1 0.2 0.3 Miles



Date: 10/9/2020

AGENDA # 6.6
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Planning & Res. Mgmt.	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Scott WMO		
PRESENTER:	Ryan Holzer - 8882	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	Sand Creek Near Channel Sediment Reduction Phase IV	TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-166; Authorizing Final Payment to Sunram Construction, Inc. in the Amount of \$1,000 for the Sand Creek Near Channel Sediment Reduction Phase IV Project in Helena Township		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS: Vanessa Strong, Water Resources Supervisor Kate Sedlacek, Environmental Services Manager Mandy Flum, Program Specialist
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-166; Authorizing Final Payment to Sunram Construction, Inc. in the Amount of \$1,000 for the Sand Creek Near Channel Sediment Reduction Phase IV Project in Helena Township.

This project consisted of the construction of streambank stabilization utilizing log jams to reduce erosion and sediment loading into Sand Creek. This site was identified as a high sediment producer to Sand Creek in a feasibility report completed by Inter-Fluve. Sand Creek is impaired for aquatic life, and several studies have found that it carries a high sediment load. This stabilization is designed to reduce the amount of sediment entering the Creek.

Staff recommends approval of the final contract amount. All work has been satisfactorily performed and the necessary closeout documentation has been completed by the contractor.

The final Contract amount is \$186,217.79 which is \$5,973.83 (3.31%) more than the original bid of \$180,244. To date \$185,217.79 has been paid to the contractor, leaving a balance of \$1,000. The reason the final amount is higher than the bid was due to the need for additional line item quantities needed that were critical to the integrity and safety for the project and construction. However, the original bid came in \$118,066 (>39.58%) lower than the Engineers Opinion of Cost (EOPC). Even with the additional funds needed to complete the project, it still came in significantly lower than the EOPC.

This project was completed under two grants, one of which was the \$2.2 million Targeted Watershed Grant awarded to the Scott Watershed Management Organization (Resolution 2015-019) by the Minnesota Board of Water and Soil Resources (BWSR). The other grant was from the Minnesota Pollution Control Agency as part of a United States Environmental Protection Agency (USEPA) Section 319 Grant (Resolution 2016-104). The goal was to reduce the sediment and nutrient loading into Sand Creek which implemented a total of five sites since 2016.

Fiscal Impact:

None.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-166
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-166; AUTHORIZING FINAL PAYMENT TO SUNRAM CONSTRUCTION, INC.
IN THE AMOUNT OF \$1,000 FOR THE SAND CREEK NEAR CHANNEL SEDIMENT
REDUCTION PHASE IV PROJECT IN HELENA TOWNSHIP**

WHEREAS, Sand Creek is considered water quality impaired for aquatic life; and

WHEREAS, several studies have found that Sand Creek carries a high sediment load; and

WHEREAS, a Feasibility Study regarding the sources and solutions to the sediment loading has been completed identifying this project site as a high sediment producer to Sand Creek; and

WHEREAS, the Scott Watershed Management Organization (WMO) applied for and received funding for construction of several stabilizations of near channel sediment sources from the Minnesota Board of Water and Soil Resources as part of a Targeted Watershed Grant; and

WHEREAS, the Scott Watershed Management Organization applied for and received additional funding for construction of several stabilizations of near channel sediment sources from the Minnesota Pollution Control Agency as part of a United States Environmental Protection Agency (USEPA) Section 319 Grant; and

WHEREAS, the cost was included with the approved Scott WMO Special Taxing District budget for 2019 and 2020; and

WHEREAS, the project consisted of a streambank stabilization on Sand Creek; and

WHEREAS, the final Contract amount is \$186,217.79 which is \$5,973.83 (3.31%) more than the original bid of \$180,244; and

WHEREAS, an Amendment to the Contract was approved increasing the contract amount to \$186,217.79.

NOW THEREFORE BE IT RESOLVED that the Scott County Board of Commissioners in and for the County of Scott, Minnesota, hereby authorizes the Chairperson of the Board to accept said completed project and authorizes final payment to Sunram Construction, Inc. in the amount \$1,000 for the Sand Creek Near Channel Sediment Reduction Phase IV Project in Helena Township.

COMMISSIONERS	VOTE			
Weckman Brekke	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October, 2020.

County Administrator

Administrator's Designee

AGENDA # 6.7
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Transportation Services	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Highway-Program Delivery		
PRESENTER:	Tony Winiecki-8008	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	CP 27-15	TIME REQUESTED:	NA
ACTION REQUESTED:	Adopt Resolution No. 2020-169; Awarding a Contract to Egan Company for the Installation of a Traffic Signal System and Interconnect at the Intersection of County Highway 27/Connelly Parkway in the City of Savage		
CONTRACT/POLICY/GRANT:	<input checked="" type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☒ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-169; Awarding a Contract to Egan Company for the Installation of a Traffic Signal System and Interconnect at the Intersection of County Highway 27/Connelly Parkway in the City of Savage.

The purpose of this project is to improve safety and mobility at the intersection of County Highway (CH) 27 and Connelly Parkway in the City of Savage.

This project was recently advertised for bids and a bid opening was held on Tuesday, October 13, 2020. Five bids were received, and the results are as follows:

Bidder	Bid Amount
Egan Company	\$268,252.00
Collins Electrical Construction Co.	\$268,940.00
JL Theis, Inc.	\$277,335.10
Granite Ledge Electrical Contractors Inc.	\$284,123.50
Meyer Contracting Inc.	\$286,494.14

The bid of Egan Company was the lowest responsible bid. The engineer's estimate is \$303,639.00. The County Engineer recommends entering into a contract with Egan Company not to exceed \$268,252.00.

The bid amount does not include the cost of County furnished materials; traffic signal control cabinet, traffic signal poles and mast arms, and street light poles. These items were pre-ordered by the County in order to have them available to the contractor when work begins. The cost for these items is \$61,277.00 for the signal cabinet and \$55,248.00 for the signal poles, mast arms, and luminaires. The cost of these items will be shared equally 50% with the City.

Xcel Energy's overhead facilities running along the east side of CH 27 on Great River Energy's pole facility must be relocated to underground to provide proper clearance for a traffic signal pole to be installed in the northeast quadrant of the intersection. This utility relocation work must be completed before the signal pole can be installed. The County Engineer has executed a work order with Xcel Energy to complete this work. Xcel's tentative schedule is to complete this work in November. The County and City have agreed to split these costs on a 55% County/45% City basis per the cost participation policy.

In the 2020-2029 Transportation Improvement Program (TIP), \$476,000 has been programmed to cover project cost for 2020-21 construction. This contract value plus the equipment purchased separately total \$384,777. The City and County have an executed cooperative construction agreement for this project approved by County Board on April 7, 2020 by Resolution No. 2020-066.

Fiscal Impact:
None

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-169
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-169; AWARDING A CONTRACT TO EGAN COMPANY FOR THE
INSTALLATION OF A TRAFFIC SIGNAL SYSTEM AND INTERCONNECT AT THE INTERSECTION
OF COUNTY HIGHWAY 27/CONNELLY PARKWAY IN THE CITY OF SAVAGE**

WHEREAS, Scott County has programmed in 2020 County Project (CP) 27-15 for the installation of a traffic signal system and interconnect at the intersection of County Highway (CH) 27 and Connelly Parkway; and

WHEREAS, five bids were received on October 13, 2020 and the bid of Egan Company was the lowest responsible bid at \$268,252.00, and

WHEREAS, funding for the project will be split between the City of Savage and the County in accordance with cooperative construction agreement approved by County Board Resolution 2020-066; and

WHEREAS, the 2020 and 2021 Transportation Improvement Program has funding identified for construction sufficient to cover the contract costs.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Scott, Minnesota, that the Chairperson of the Board is authorized to enter into a Contract with Egan Company for the installation of a traffic signal system and interconnect at the intersection of CH 27 and Connelly Parkway in the City of Savage.

BE IT FINALLY RESOLVED that approval of the Contract is subject to approval by the County's Attorney's Office as to form.

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)

County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October, 2020.

County Administrator

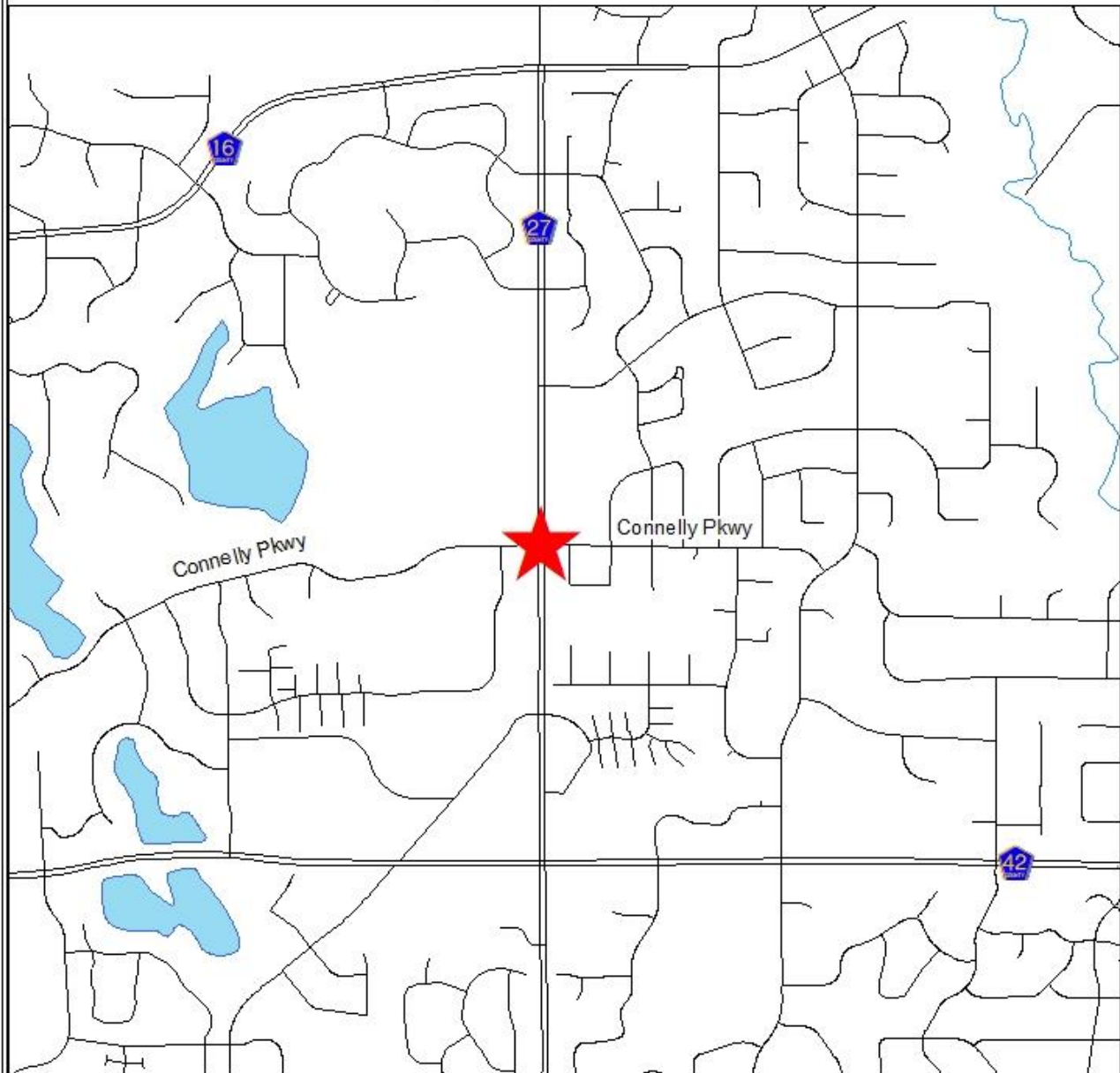
Administrator's Designee



SCOTT COUNTY

2020 RBA

Traffic Signal at CH 27 / Connelly Pkwy



Date: 10/13/2020

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. Scott County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact the Scott County Surveyors Office.



Scale: R.F.: Feet 500 ft.

AGENDA # 6.8
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Planning & Res. Mgmt.	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Environmental Services		
PRESENTER:	Kate Sedlacek - 8351	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	Solid Waste Management	TIME REQUESTED:	NA
ACTION REQUESTED:	Adopt Resolution No. 2020-170; Approving the Amendment to the Minnesota Pollution Control Agency 2020 Local Recycling Development Grant to Increase the State's Total Obligation From \$384,254.13 to \$563,803.24		
CONTRACT/POLICY/GRANT:	<input checked="" type="checkbox"/> County Attorney Review <input checked="" type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☒ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☒ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS: Kate Sedlacek, Environmental Services Manager Nick Reishus, Environmentalist II
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-170; Approving the Amendment to the Minnesota Pollution Control Agency (MPCA) 2020 Local Recycling Development Grant to Increase the State's Total Obligation From \$384,254.13 to \$563,803.24.

The County receives the Local Recycling Development Grant (LRDG) annually from the MPCA. The State's LRDG program provides grants to the seven metro counties. This program is designed to implement new activities or to enhance the effectiveness of existing yard waste composting and recycling programs within the

metro. The metro counties are required to support and maintain effective municipal recycling as a condition of receiving LRDG funds. All activities funded through the LRDG program must be consistent with the *2017 Metropolitan Solid Waste Management Plan* and the *Scott County Solid Waste Management Master Plan (2018)*. Funds are derived from revenue generated from tip fees at the metro landfills.

The requested amendment is to include the latest funding increase for fiscal year 2021. Scott County is eligible to receive \$179,549.11 of LRDG in 2021. Entering into an Annual Agreement will now be a requirement for all the metro counties to receive the grant.

Fiscal Impact:

LRDG funds will be included in the 2021 budget. The LRDG requires a 50% match. The County Solid Waste Management Special Assessment will be used to meet the required match for the Grant, which is also included in the approved budget.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-170
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-170; APPROVING THE AMENDMENT TO THE MINNESOTA POLLUTION
CONTROL AGENCY 2020 LOCAL RECYCLING DEVELOPMENT GRANT TO INCREASE THE
STATE'S TOTAL OBLIGATION FROM \$384,254.13 TO \$563,803.24**

WHEREAS, Scott County has a state-approved Solid Waste Master Plan that includes objectives for recycling that are consistent with the Minnesota Pollution Control Agency's Metropolitan Solid Waste Policy Plan; and

WHEREAS, the approved Solid Waste Master Plan includes strategies designed to implement new activities or to enhance or increase the effectiveness of existing yard waste composting and recycling programs within Scott County. Efforts that are eligible for - and historically funded with - the Local Recycling Development Grant include but are not limited to the City Single Day Clean Up Grant and the Recycling, Infrastructure, Innovation and Outreach Grant; and

WHEREAS, the total obligation amount of Local Recycling Development Grant Contract Start Date March 4th, 2019 and Current Contract Expiration Date March 4th, 2024 will increase from \$384,254.13 (Three Hundred Eighty Four Thousand Two Hundred Fifty Four Dollars and Thirteen Cents) to \$563,803.24 (Five Hundred Sixty Three Thousand Eight Hundred Three Dollars and Twenty Four Cents).

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners in and for the County of Scott, Minnesota hereby authorizes entering into a Grant Agreement with the Minnesota Pollution Control Agency for the 2021 Local Recycling Development Grant in the amount of \$179,549.11.

BE IT FINALLY RESOLVED that the Board of Commissioners authorizes the Scott County Environmental Services Program Manager to execute said Agreement, subject to approval by the County Attorney's Office as to form.

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20st day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20st day of October, 2020.

County Administrator

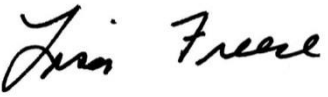
Administrator's Designee

AGENDA # 6.9
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION: ORIGINATING DEPARTMENT:	Transportation Services Highway Program Delivery	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PRESENTER:	Lisa Freese—8363	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	PA ROW	TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-174; Approving Execution of a Purchase Agreement and the Purchase of Real Property Located Along County Highway 17 in the City of Shakopee by an Early Voluntary Acquisition by Mutual Agreement		
CONTRACT/POLICY/GRANT:	<input checked="" type="checkbox"/> County Attorney Review <input checked="" type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:												
													
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 150px;">Approved:</td><td></td></tr> <tr><td>Denied:</td><td></td></tr> <tr><td>Tabled:</td><td></td></tr> <tr><td>Other:</td><td></td></tr> <tr><td>Deputy Clerk :</td><td></td></tr> <tr><td>Date:</td><td></td></tr> </table>	Approved:		Denied:		Tabled:		Other:		Deputy Clerk :		Date:		DISTRIBUTION/FILING INSTRUCTIONS:
Approved:													
Denied:													
Tabled:													
Other:													
Deputy Clerk :													
Date:													

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-174; Approving Execution of a Purchase Agreement and the Purchase of Real Property Located Along County Highway 17 in the City of Shakopee by an Early Voluntary Acquisition by Mutual Agreement.

This is for the purchase of the entire property, which is improved with a single-family residence. The property is situated on the west side of County Highway (CH) 17 (Marschall Road) with direct access approximately 0.7 miles southerly of its intersection with CH 42. The property has an address of 3320 Marschall Road South in the City of Shakopee.

The fee owners contacted the County advising that they desire to sell the property. Staff advised that the County is an interested buyer on a voluntary basis by and between a willing seller and a willing buyer by mutual agreement of price, terms and conditions, subject to County Board approval.

The County contracted with Integra Realty Resources (IRR), an independent licensed fee appraiser, to estimate the current market value of the property. IRR delivered an appraisal report concluding to a current market value of \$235,000. Fee owners counteroffered with \$265,000, which staff rejected. Staff counteroffered \$250,000 which the owners accepted. The owners (sellers) executed and delivered a Purchase Agreement for the purchase price, terms, and conditions which is subject to County Board approval.

The purchase of this property is consistent with the objectives of a CH 17 Corridor Study (2009). The Corridor Study evaluated the long-term vision of the CH 17 corridor as an important north-south principal arterial roadway in Scott County. The Corridor Study recommends improvements in geometrics and proposes a preliminary design concept for expansion from a two-lane highway to a divided four-lane highway.

The County is purchasing this property as an opportunity to remove and close existing private direct access onto CH 17, which is consistent with the objectives to manage the CH 17 corridor concurrently with highway projects or as such opportunities arise. The purchase of this property provides future right-of-way needs consistent with the strategies of the Corridor Study.

This acquisition will be funded using the Principal Arterial Right-of-Way Acquisition set aside in the 2020-2029 Transportation Improvement Program (TIP). There is \$819,000 programmed in 2020 for voluntary acquisitions on existing and planned principal arterial corridors.

Fiscal Impact:

None

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-174
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-174; APPROVING EXECUTION OF A PURCHASE AGREEMENT AND THE
PURCHASE OF REAL PROPERTY LOCATED ALONG COUNTY HIGHWAY 17 IN THE CITY OF
SHAKOPEE BY AN EARLY VOLUNTARY ACQUISITION BY MUTUAL AGREEMENT**

WHEREAS, the County is managing County Highway (CH) 17 as a principal arterial highway consistent with the guiding and objectives of a 2009 CH 17/Trunk Highway (TH) 13 Corridor Study; and

WHEREAS, the property is located at 3320 Marschall Road South with direct access onto CH 17, which will need to be removed or relocated to accomplish the objectives of the Corridor Study for transitioning to a principal arterial; and

WHEREAS, the Owner is a willing seller, who has accepted the price, terms, and conditions by executing and delivering a Purchase Agreement on a voluntary basis by mutual agreement with its price based upon an independent fee appraiser's opinion of market value in a sum of \$250,000 which is subject to Board of Commissioners approval; and

WHEREAS, the 2020-2029 Transportation Improvement Program (TIP) identified funding for Principal Arterial right-of-way acquisitions in the 2020 program year sufficient to cover this acquisition and closing costs.

NOW THEREFORE BE IT RESOLVED, the County Board of Commissioners in and for the County of Scott, Minnesota, hereby authorizes the Chairperson of the Board, Administrator, or Deputy Administrator to execute a Purchase Agreement for the property at 3320 Marschall Road South in the sum of \$250,000 plus closing costs subject to approval by the County Attorney's Office.

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

**State of Minnesota)
County of Scott)**

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October, 2020.

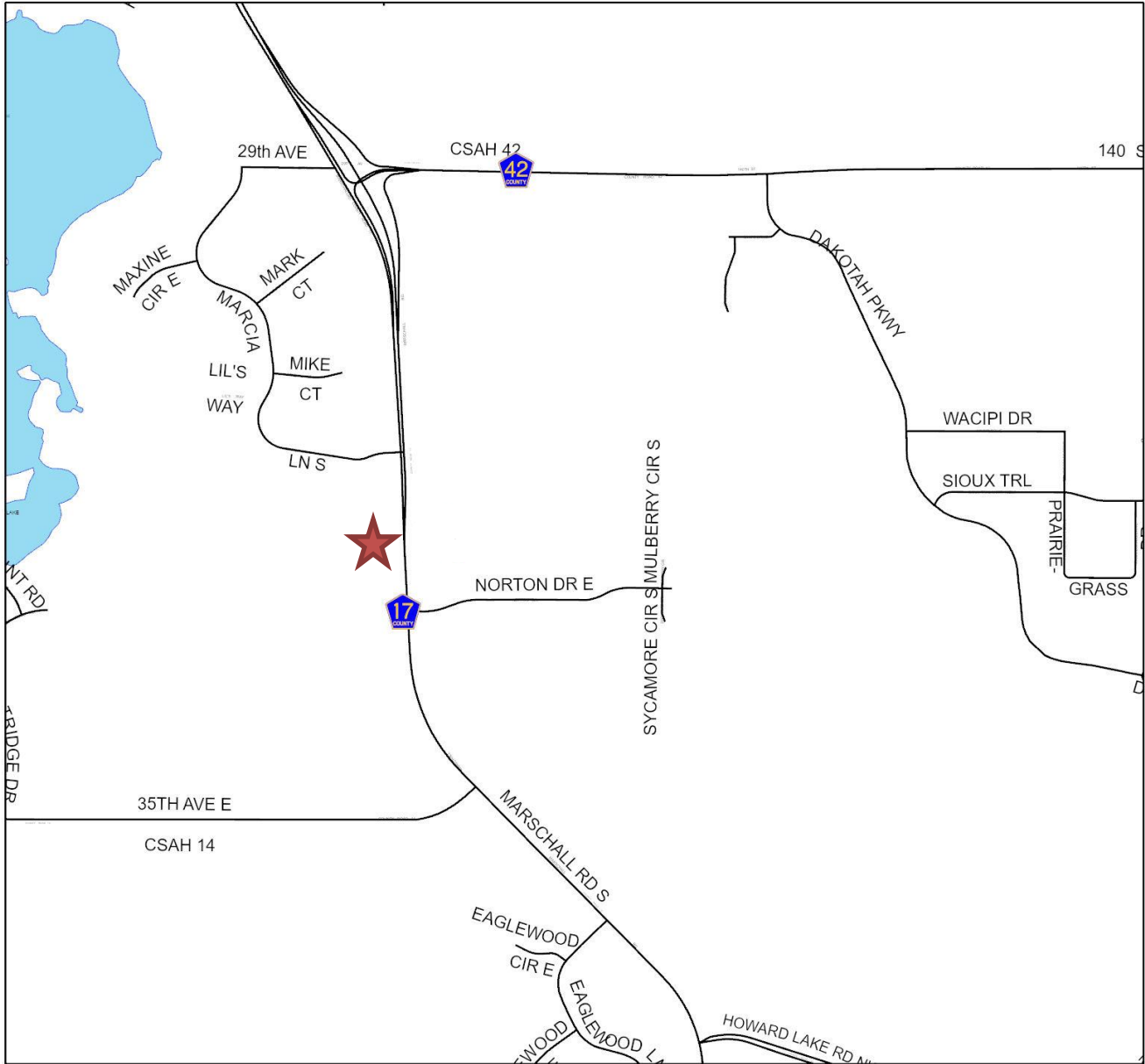
County Administrator

Administrator's Designee



SCOTT COUNTY

2020 RBA
CH 17 Right of Way



This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. Scott County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact the Scott County Surveyors Office.

0 0.070.15 0.3 0.45
Miles



Date: 10/7/2020

AGENDA # 6.10
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Office of Management & Budget	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Budget & Strategic Planning		
PRESENTER:	Danny Lenz	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:		TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-176; Approving Coronavirus Aid, Relief, and Economic Security (CARES) Act Special Revenue Fund to be Authorized for Use to Cover Pandemic Response Costs Incurred in the County Operation Budget From No Earlier Than March 1, 2020 Through September 30, 2020		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input checked="" type="checkbox"/> Finance Review <input checked="" type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☒ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☒ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-176; Approving Coronavirus Aid, Relief, and Economic Security (CARES) Act Special Revenue Fund to be Authorized for Use to Cover Pandemic

Response Costs Incurred in the County Operation Budget From No Earlier Than March 1, 2020 Through September 30, 2020.

Since early 2020, Scott County has been impacted by an outbreak of a respiratory disease caused by a novel coronavirus that has been detected across the world, including in Minnesota.

- On March 11, the World Health Organization declared COVID-19 as a pandemic.
- On March 13, the President of the United States declared a national emergency for the COVID-19 pandemic.
- On March 13, the Governor of Minnesota declared a peacetime emergency due to the COVID-19 pandemic.
- On March 17, 2020, the Scott County Board of Commissioners declared a local state of emergency due to the COVID-19 pandemic.

On March 27, 2020, the Federal Government passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act, which provides over \$2 trillion in federal economic relief to protect the American people from the public health and economic impacts of COVID-19. Part of those funds were sent to states for local allocation and disbursement.

Minnesota Governor Tim Walz, through executive authority and a legislative review committee, allocated and dispersed a portion of Minnesota's CARES Act funds as Local Government Assistance based on population targets to counties, cities, and townships throughout the state. Scott County has received \$17,719,998.

The funds may be spent by the local agencies to offset public health and economic impacts of COVID-19. In order to be eligible for the funding expenditures must pass a three-step test:

1. Expenses must be necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19)
2. They must be costs that were not accounted for in the budget most recently approved as of March 27, 2020
3. Performance or delivery must occur during the covered period, but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred.) The County deadline is 12/1/2020.

To assist in understanding eligible expenses, the United States Department of the Treasury published two documents: *Coronavirus Relief Fund Guidance to State, Territorial, Local, and Tribal Governments Updated June 30, 2020* ("Guidance"); and *Coronavirus Relief Fund Frequently Asked Questions Updated as of August 10, 2020* ("Frequently Asked Questions").

All CARES Act Funds are subject to State and Federal audit for use of the funds. This means that any subrecipients of CARES Funds from the County must also meet audit requirements.

At a Board Workshop on July 7, 2020 the Scott County Board discussed its priorities for dissemination of the CARES funds. Included in those priorities was the need to cover increased operational costs directly related to the COVID-19 pandemic, as well as to provide needed items to allow for remote service delivery and teleworking of Scott County employees.

Prior to the first confirmed case of COVID-19 in Scott County, or Minnesota, Scott County staff began preparing for the impact of COVID-19 on County operations and service delivery. One of the first steps taken was to set-up an activity code in the County's financial system in order to track FEMA reimbursable costs associated with the response to the pandemic. As the emergency has continued it became apparent that the County would likely not seek FEMA reimbursement, but would reimburse its costs through the CARES Act funding provided by the State due to its broader coverage for reimburseable expenses. The costs listed below, and itemized in the resolution reflect costs that were coded to the COVID-19 activities at the time of the expense. This includes time card coding as well as the direct purchase of items related to the COVID-19 pandemic.

This transfer includes for the first time payroll costs for Public Health and Public Safety staff. The Public Safety staff considered substantially dedicated to the COVID-19 response include Sheriff Emergency Management, Dispatch, and Jail staff and Sheriff Operations and Support Services licensed deputies. The Sheriff's Office costs incorporate a portion of the salary of the identified position, based on the original Board approved expenditure plan for CARES Act funding for County incurred costs. The actual eligible costs are higher, and will be brought back at a later time for Board consideration.

Summary of Transfers include:

Payroll For Public Health and Sheriff (March-September):

Operations	\$ -2,437,547
CARES Act Special Revenue Fund	<u>\$ 2,437, 547</u>
Net	0

Payroll For Non-Public Health and non-Sheriff (September):

Operations	\$ 21,085
CARES Act Special Revenue Fund	<u>\$-21,085</u>
Net	0

Direct Expense Reimbursements (September):

Budget Contingencies	\$-19,425
CARES Act Special Revenue Fund	<u>\$ 19,425</u>
Net	0

Expenses Directly Coded to Special Revenue Fund (August-September):

CARES Act Special Revenue Fund	<u>\$3,828,127.85</u>
Net	\$3,828,127.85

The costs included in the above are allowable expense under the following guidance issues by the United States Department of the Treasury:

- Cover the costs of expenses that were unaccounted for in the County budget, or were used for a "substantially different use" than approved for in the budget. Examples include employees working in the Emergency Operations Center, sanitizing and cleaning beyond typical practices, and redeploying staff to different areas to allow for complains with COVID-19 public health precautions.
 - o Authorized under "Coronavirus Relief Fund Frequently Asked Questions Updated as of August 10, 2020"
 - Page 1: ***"The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a "substantially different use" for purposes of the Fund eligibility?"***

Costs incurred for a "substantially different use" include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to

develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty's ordinary responsibilities.

- Cover the costs of teleworking improvement for employees. The primary focus of these funds is to provide mobile capabilities for employees who do not currently have it, and to implement or enhance new software applications that allow for the County to meet COVID-19 public health precautions, such as scheduling software and licenses to allow for remote meetings with clients.
 - o Authorized under "Coronavirus Relief Fund Guidance to State, Territorial, Local, and Tribal Governments Updated June 30, 2020" - "Nonexclusive examples of eligible expenditures" – Number 4 "Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as: Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions."

The total fund spend from the County operating budget, which were not budgeted and/or have been expended on a substantially different purpose than in the approved budget, is \$2,435,887. The transfer of these expenses to the CARES Act Special Revenue Fund consists entirely of expenses that would not have been incurred for this purpose had it not been for the COVID-19 pandemic, and will reimburse the County for funds already expended and specifically coded to the COVID-19 activities code in the County's financial system. This transfer includes Public Safety or Public Health functions in the County. An additional \$3,828,127.85 was coded directly to the CARES Act Special Revenue Fund consisting entirely of expenses that would not have been incurred for this purpose had it not been for the COVID-19 pandemic, and will reimburse the County for funds already expended.

Fiscal Impact:

The County has already significantly cut expenditures in other areas due to the need to expend funds on the COVID-19 pandemic. This transfer of costs will reimburse the County for funds already expended for this purpose.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-176
Motion by Commissioner:	
Seconded by Commissioner:	

ADOPT RESOLUTION NO. 2020-176; APPROVING CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT SPECIAL REVENUE FUND TO BE AUTHORIZED FOR USE TO COVER PANDEMIC RESPONSE COSTS INCURRED IN THE COUNTY OPERATION BUDGET FROM NO EARLIER THAN MARCH 1, 2020 THROUGH SEPTEMBER 30, 2020

WHEREAS, COVID-19, a global pandemic has caused a public health emergency at all levels of government in the United States; and

WHEREAS, response and support to affected individuals, communities, medical systems, businesses, and government has caused significant impact to the County as a whole; and

WHEREAS, COVID-19, has caused and will continue to cause increased service needs on County functions and additional work for staff; and

WHEREAS, COVID-19 has had significant impacts on the businesses and residents of Scott County; and

WHEREAS, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, passed on March 27, 2020, provides over \$2 trillion in federal economic relief to protect the American people from the public health and economic impacts of COVID-19; and

WHEREAS, Governor Tim Walz on June 26, 2020 formally allocated funding for counties, cities, and townships in the State of Minnesota, to provide support and economic relief on a local level with Scott County receiving \$17,719,998 from the CARES Act; and

WHEREAS, on July 29, 2020 Scott County was provided an allocation of \$17,719,998 from the State of Minnesota from the Federal CARES Act; and

WHEREAS, the Federal CARES Act funds are subject to State and Federal spending requirements and subject to State and Federal Audit; and

WHEREAS, the Scott County Board of Commissioners has been presented and has approved a plan for the use of the County's allocation; and

WHEREAS, the Scott County Board of Commissioners desires the funds to be accounted for in a manner that will demonstrate full compliance with Federal requirements and guidance; and

WHEREAS, the United States Department of the Treasury's "Coronavirus Relief Fund Guidance to State, Territorial, Local, and Tribal Governments Updated June 30, 2020" (The Guidance), attached and hereby incorporated as Exhibit A, provides information on eligible costs; and

WHEREAS, the United States Department of the Treasury's "Coronavirus Relief Fund Frequently Asked Questions Updated As of August 10, 2020" (The Frequently Asked Questions), attached and hereby incorporated as Exhibit B, provides additional information on eligible costs; and

WHEREAS, The Guidance states that CARES Act funds may be used to "...cover costs that were not accounted for in the budget..." or "the costs is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation." and

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-176
Motion by Commissioner:	
Seconded by Commissioner:	

WHEREAS, the Guidance states that CARES Act funds may be used to "...improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions."; and

WHEREAS, the costs have been documented at the time of the expense and coded to the County's activity code specifically set-up to track COVID-19.

NOW, THEREFORE, BE IT RESOLVED, that the Scott County Board of Commissioners hereby approves the following expenditure of Payroll funds for March-September and Transfer from Operations to Coronavirus Special fund:

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-176
Motion by Commissioner:	
Seconded by Commissioner:	

Department	DeptName	Total
100100	Library Operations	\$ (1,679.82)
100105	Administration	\$ (7,229.01)
100120	County Attorney	\$ (2,711.23)
100130	Employee Relations	\$ (4,705.64)
100135	Accounting	\$ (11,722.46)
100140	Budget & Strategic Planning	\$ (19,863.62)
100204	Environmental Services	\$ (86.76)
100206	Fleet Services	\$ (1,421.80)
100211	Building Inspections	\$ (41.65)
100216	Customer Service	\$ (306.77)
100217	PCS Admin & Elections	\$ (48,217.53)
100218	Land Records	\$ (17,258.11)
100232	Program Delivery	\$ (5,910.51)
100243	GIS	\$ (520.68)
100246	Enterprise Business Technology	\$ (13,993.12)
100330	Information Technology	\$ (28,460.48)
100400	Sheriff Administration	\$ (37,411.77)
100405	Sheriff Communications	\$ (343,643.05)
100410	Sheriff Support & Services	\$ (234,263.38)
100415	Sheriff Emergency Mgmt	\$ (56,515.95)
100420	Sheriff Jails	\$ (1,177,175.33)
100425	Sheriff Operations	\$ (352,238.01)
100610	Community Corrections Field	\$ (1,817.65)
100620	Treatment Court	\$ (230.15)
100625	Specialty Courts/Grants	\$ (252.84)
150100	Public Health	\$ (236,299.99)
150115	Income Maintenance Admin	\$ 8,313.21
150120	Child Support	\$ 8,236.80
150140	HHS Management	\$ 67,674.68
150145	HHS Administrative Services	\$ 565.92
150150	Children Service	\$ 34,899.43
150155	Licensing	\$ 1,276.96
150160	Chemical Dependency	\$ 456.68
150165	Adult Mental Health	\$ 62,144.92
150170	Children Mental Health	\$ 2,785.86
150180	Home and Community Care	\$ 1,527.32
400100	Scott WMO	\$ (366.41)
	Operations Sub Total	\$ (2,416,461.94)
430120	Coronavirus County Reimb.	\$ 2,416,461.94

Net Change **\$** **0**

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-176
Motion by Commissioner:	
Seconded by Commissioner:	

BE IT FURTHER RESOLVED, that the Scott County Board of Commissioners hereby approves the following expenditure of Direct Expenses for CARES funds for September and Transfer from Operations to Coronavirus Special fund:

Department	DeptName	Total
100141	Budget Contingencies	\$ (19,424.99)
430120	Coronavirus County Reimb.	\$ 19,424.99

BE IT FURTHER RESOLVED, that the Scott County Board of Commissioners hereby approves the following expenditure of Direct Expenses for CARES funds for August-September directly coded to Coronavirus Special fund:

Department	DeptName	Total
430100	Coronavirus Business Support	\$ 2,725,000.00
430110	Coronavirus Food/Nonprof/School	\$ 786,776.75
430115	Coronavirus Rural Broadband	\$ 314,616.12
430120	Coronavirus County Reimb.	\$ 1,734.98

BE IT FURTHER RESOLVED, that these costs were specifically coded at the time of the expense to the County's COVID-19 activity code, and reflect actual costs incurred by the County for the COVID-19 Pandemic Emergency.

BE IT FINALLY RESOLVED, the purchase or expenditure of these funds will follow all County, State, and Federal procurement requirements for the use of such funds.

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October 2020.

County Administrator

Administrator's Designee

Coronavirus Relief Fund
Guidance for State, Territorial, Local, and Tribal Governments
Updated June 30, 2020¹

The purpose of this document is to provide guidance to recipients of the funding available under section 601(a) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”). The CARES Act established the Coronavirus Relief Fund (the “Fund”) and appropriated \$150 billion to the Fund. Under the CARES Act, the Fund is to be used to make payments for specified uses to States and certain local governments; the District of Columbia and U.S. Territories (consisting of the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands); and Tribal governments.

The CARES Act provides that payments from the Fund may only be used to cover costs that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.²

The guidance that follows sets forth the Department of the Treasury’s interpretation of these limitations on the permissible use of Fund payments.

Necessary expenditures incurred due to the public health emergency

The requirement that expenditures be incurred “due to” the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

Costs not accounted for in the budget most recently approved as of March 27, 2020

The CARES Act also requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. A cost meets this requirement if either (a) the

¹ This version updates the guidance provided under “Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020”.

² See Section 601(d) of the Social Security Act, as added by section 5001 of the CARES Act.

cost cannot lawfully be funded using a line item, allotment, or allocation within that budget *or* (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation.

The “most recently approved” budget refers to the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency. A cost is not considered to have been accounted for in a budget merely because it could be met using a budgetary stabilization fund, rainy day fund, or similar reserve account.

Costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020

Finally, the CARES Act provides that payments from the Fund may only be used to cover costs that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (the “covered period”). Putting this requirement together with the other provisions discussed above, section 601(d) may be summarized as providing that a State, local, or tribal government may use payments from the Fund only to cover previously unbudgeted costs of necessary expenditures incurred due to the COVID-19 public health emergency during the covered period.

Initial guidance released on April 22, 2020, provided that the cost of an expenditure is incurred when the recipient has expended funds to cover the cost. Upon further consideration and informed by an understanding of State, local, and tribal government practices, Treasury is clarifying that for a cost to be considered to have been incurred, performance or delivery must occur during the covered period but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred). For instance, in the case of a lease of equipment or other property, irrespective of when payment occurs, the cost of a lease payment shall be considered to have been incurred for the period of the lease that is within the covered period, but not otherwise. Furthermore, in all cases it must be necessary that performance or delivery take place during the covered period. Thus the cost of a good or service received during the covered period will not be considered eligible under section 601(d) if there is no need for receipt until after the covered period has expired.

Goods delivered in the covered period need not be used during the covered period in all cases. For example, the cost of a good that must be delivered in December in order to be available for use in January could be covered using payments from the Fund. Additionally, the cost of goods purchased in bulk and delivered during the covered period may be covered using payments from the Fund if a portion of the goods is ordered for use in the covered period, the bulk purchase is consistent with the recipient’s usual procurement policies and practices, and it is impractical to track and record when the items were used. A recipient may use payments from the Fund to purchase a durable good that is to be used during the current period and in subsequent periods if the acquisition in the covered period was necessary due to the public health emergency.

Given that it is not always possible to estimate with precision when a good or service will be needed, the touchstone in assessing the determination of need for a good or service during the covered period will be reasonableness at the time delivery or performance was sought, *e.g.*, the time of entry into a procurement contract specifying a time for delivery. Similarly, in recognition of the likelihood of supply chain disruptions and increased demand for certain goods and services during the COVID-19 public health emergency, if a recipient enters into a contract requiring the delivery of goods or performance of services by December 30, 2020, the failure of a vendor to complete delivery or services by December 30, 2020, will not affect the ability of the recipient to use payments from the Fund to cover the cost of such goods or services if the delay is due to circumstances beyond the recipient’s control.

This guidance applies in a like manner to costs of subrecipients. Thus, a grant or loan, for example, provided by a recipient using payments from the Fund must be used by the subrecipient only to purchase (or reimburse a purchase of) goods or services for which receipt both is needed within the covered period and occurs within the covered period. The direct recipient of payments from the Fund is ultimately responsible for compliance with this limitation on use of payments from the Fund.

Nonexclusive examples of eligible expenditures

Eligible expenditures include, but are not limited to, payment for:

1. Medical expenses such as:
 - COVID-19-related expenses of public hospitals, clinics, and similar facilities.
 - Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
 - Costs of providing COVID-19 testing, including serological testing.
 - Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
 - Expenses for establishing and operating public telemedicine capabilities for COVID-19-related treatment.
2. Public health expenses such as:
 - Expenses for communication and enforcement by State, territorial, local, and Tribal governments of public health orders related to COVID-19.
 - Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment, for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers in connection with the COVID-19 public health emergency.
 - Expenses for disinfection of public areas and other facilities, *e.g.*, nursing homes, in response to the COVID-19 public health emergency.
 - Expenses for technical assistance to local authorities or other entities on mitigation of COVID-19-related threats to public health and safety.
 - Expenses for public safety measures undertaken in response to COVID-19.
 - Expenses for quarantining individuals.
3. Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses of actions to facilitate compliance with COVID-19-related public health measures, such as:
 - Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations, to enable compliance with COVID-19 public health precautions.
 - Expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions.
 - Expenses to improve telework capabilities for public employees to enable compliance with COVID-19 public health precautions.

- Expenses of providing paid sick and paid family and medical leave to public employees to enable compliance with COVID-19 public health precautions.
 - COVID-19-related expenses of maintaining state prisons and county jails, including as relates to sanitation and improvement of social distancing measures, to enable compliance with COVID-19 public health precautions.
 - Expenses for care for homeless populations provided to mitigate COVID-19 effects and enable compliance with COVID-19 public health precautions.
5. Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:
 - Expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
 - Expenditures related to a State, territorial, local, or Tribal government payroll support program.
 - Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
 6. Any other COVID-19-related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

Nonexclusive examples of ineligible expenditures³

The following is a list of examples of costs that would *not* be eligible expenditures of payments from the Fund.

1. Expenses for the State share of Medicaid.⁴
2. Damages covered by insurance.
3. Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
4. Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
5. Reimbursement to donors for donated items or services.
6. Workforce bonuses other than hazard pay or overtime.
7. Severance pay.
8. Legal settlements.

³ In addition, pursuant to section 5001(b) of the CARES Act, payments from the Fund may not be expended for an elective abortion or on research in which a human embryo is destroyed, discarded, or knowingly subjected to risk of injury or death. The prohibition on payment for abortions does not apply to an abortion if the pregnancy is the result of an act of rape or incest; or in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. Furthermore, no government which receives payments from the Fund may discriminate against a health care entity on the basis that the entity does not provide, pay for, provide coverage of, or refer for abortions.

⁴ See 42 C.F.R. § 433.51 and 45 C.F.R. § 75.306.

Exhibit B

Coronavirus Relief Fund Frequently Asked Questions Updated as of August 10, 2020¹

The following answers to frequently asked questions supplement Treasury's Coronavirus Relief Fund ("Fund") Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020, ("Guidance").² Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act").

A. Eligible Expenditures

1. *Are governments required to submit proposed expenditures to Treasury for approval?*

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

2. *The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the "substantially dedicated" condition?*

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

3. *The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a "substantially different use" for purposes of the Fund eligibility?*

Costs incurred for a "substantially different use" include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty's ordinary responsibilities.

¹ On August 10, 2020, these Frequently Asked Questions were revised to add Questions 49–52. The previous revision was made on July 8.

² The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

Note that a public function does not become a “substantially different use” merely because it is provided from a different location or through a different manner. For example, although developing online instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

4. *May a State receiving a payment transfer funds to a local government?*

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

5. *May a unit of local government receiving a Fund payment transfer funds to another unit of government?*

Yes. For example, a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its State, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, a transfer from a county to a constituent city would not be permissible if the funds were intended to be used simply to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.

6. *Is a Fund payment recipient required to transfer funds to a smaller, constituent unit of government within its borders?*

No. For example, a county recipient is not required to transfer funds to smaller cities within the county’s borders.

7. *Are recipients required to use other federal funds or seek reimbursement under other federal programs before using Fund payments to satisfy eligible expenses?*

No. Recipients may use Fund payments for any expenses eligible under section 601(d) of the Social Security Act outlined in the Guidance. Fund payments are not required to be used as the source of funding of last resort. However, as noted below, recipients may not use payments from the Fund to cover expenditures for which they will receive reimbursement.

8. *Are there prohibitions on combining a transaction supported with Fund payments with other CARES Act funding or COVID-19 relief Federal funding?*

Recipients will need to consider the applicable restrictions and limitations of such other sources of funding. In addition, expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds, are not eligible uses of Fund payments.

9. *Are States permitted to use Fund payments to support state unemployment insurance funds generally?*

To the extent that the costs incurred by a state unemployment insurance fund are incurred due to the COVID-19 public health emergency, a State may use Fund payments to make payments to its respective state unemployment insurance fund, separate and apart from such State's obligation to the unemployment insurance fund as an employer. This will permit States to use Fund payments to prevent expenses related to the public health emergency from causing their state unemployment insurance funds to become insolvent.

10. *Are recipients permitted to use Fund payments to pay for unemployment insurance costs incurred by the recipient as an employer?*

Yes, Fund payments may be used for unemployment insurance costs incurred by the recipient as an employer (for example, as a reimbursing employer) related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

11. *The Guidance states that the Fund may support a "broad range of uses" including payroll expenses for several classes of employees whose services are "substantially dedicated to mitigating or responding to the COVID-19 public health emergency." What are some examples of types of covered employees?*

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

12. *In some cases, first responders and critical health care workers that contract COVID-19 are eligible for workers' compensation coverage. Is the cost of this expanded workers compensation coverage eligible?*

Increased workers compensation cost to the government due to the COVID-19 public health emergency incurred during the period beginning March 1, 2020, and ending December 30, 2020, is an eligible expense.

13. *If a recipient would have decommissioned equipment or not renewed a lease on particular office space or equipment but decides to continue to use the equipment or to renew the lease in order to respond to the public health emergency, are the costs associated with continuing to operate the equipment or the ongoing lease payments eligible expenses?*

Yes. To the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance, such expenses would be eligible.

14. *May recipients provide stipends to employees for eligible expenses (for example, a stipend to employees to improve telework capabilities) rather than require employees to incur the eligible cost and submit for reimbursement?*

Expenditures paid for with payments from the Fund must be limited to those that are necessary due to the public health emergency. As such, unless the government were to determine that providing assistance in the form of a stipend is an administrative necessity, the government should provide such assistance on a reimbursement basis to ensure as much as possible that funds are used to cover only eligible expenses.

15. *May Fund payments be used for COVID-19 public health emergency recovery planning?*

Yes. Expenses associated with conducting a recovery planning project or operating a recovery coordination office would be eligible, if the expenses otherwise meet the criteria set forth in section 601(d) of the Social Security Act outlined in the Guidance.

16. *Are expenses associated with contact tracing eligible?*

Yes, expenses associated with contact tracing are eligible.

17. *To what extent may a government use Fund payments to support the operations of private hospitals?*

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

18. *May payments from the Fund be used to assist individuals with enrolling in a government benefit program for those who have been laid off due to COVID-19 and thereby lost health insurance?*

Yes. To the extent that the relevant government official determines that these expenses are necessary and they meet the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance, these expenses are eligible.

19. *May recipients use Fund payments to facilitate livestock depopulation incurred by producers due to supply chain disruptions?*

Yes, to the extent these efforts are deemed necessary for public health reasons or as a form of economic support as a result of the COVID-19 health emergency.

20. *Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense?*

Yes, assuming that the recipient considers the grants to be a necessary expense incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of Fund payments under section 601(d) of the Social Security Act outlined in the Guidance. As a general matter, providing assistance to recipients to enable them to meet property tax requirements would not be an eligible use of funds, but exceptions may be made in the case of assistance designed to prevent foreclosures.

21. *May recipients create a “payroll support program” for public employees?*

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

22. *May recipients use Fund payments to cover employment and training programs for employees that have been furloughed due to the public health emergency?*

Yes, this would be an eligible expense if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

23. *May recipients use Fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency?*

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs. Such assistance should be structured in a manner to ensure as much as possible, within the realm of what is administratively feasible, that such assistance is necessary.

24. *The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a “small business,” and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?*

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

25. *The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?*

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

26. *May Fund payments be used to assist impacted property owners with the payment of their property taxes?*

Fund payments may not be used for government revenue replacement, including the provision of assistance to meet tax obligations.

27. *May Fund payments be used to replace foregone utility fees? If not, can Fund payments be used as a direct subsidy payment to all utility account holders?*

Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees. Fund payments may be used for subsidy payments to electricity account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, if determined to be a necessary expenditure, a government could provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services.

28. *Could Fund payments be used for capital improvement projects that broadly provide potential economic development in a community?*

In general, no. If capital improvement projects are not necessary expenditures incurred due to the COVID-19 public health emergency, then Fund payments may not be used for such projects.

However, Fund payments may be used for the expenses of, for example, establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity or improve mitigation measures, including related construction costs.

29. *The Guidance includes workforce bonuses as an example of ineligible expenses but provides that hazard pay would be eligible if otherwise determined to be a necessary expense. Is there a specific definition of “hazard pay”?*

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

30. *The Guidance provides that ineligible expenditures include “[p]ayroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.” Is this intended to relate only to public employees?*

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers’ employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

31. *May counties pre-pay with CARES Act funds for expenses such as a one or two-year facility lease, such as to house staff hired in response to COVID-19?*

A government should not make prepayments on contracts using payments from the Fund to the extent that doing so would not be consistent with its ordinary course policies and procedures.

32. *Must a stay-at-home order or other public health mandate be in effect in order for a government to provide assistance to small businesses using payments from the Fund?*

No. The Guidance provides, as an example of an eligible use of payments from the Fund, expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. Such assistance may be provided using amounts received from the Fund in the absence of a requirement to close businesses if the relevant government determines that such expenditures are necessary in response to the public health emergency.

33. *Should States receiving a payment transfer funds to local governments that did not receive payments directly from Treasury?*

Yes, provided that the transferred funds are used by the local government for eligible expenditures under the statute. To facilitate prompt distribution of Title V funds, the CARES Act authorized Treasury to make direct payments to local governments with populations in excess of 500,000, in amounts equal to 45% of the local government's per capita share of the statewide allocation. This statutory structure was based on a recognition that it is more administratively feasible to rely on States, rather than the federal government, to manage the transfer of funds to smaller local governments. Consistent with the needs of all local governments for funding to address the public health emergency, States should transfer funds to local governments with populations of 500,000 or less, using as a benchmark the per capita allocation formula that governs payments to larger local governments. This approach will ensure equitable treatment among local governments of all sizes.

For example, a State received the minimum \$1.25 billion allocation and had one county with a population over 500,000 that received \$250 million directly. The State should distribute 45 percent of the \$1 billion it received, or \$450 million, to local governments within the State with a population of 500,000 or less.

34. *May a State impose restrictions on transfers of funds to local governments?*

Yes, to the extent that the restrictions facilitate the State's compliance with the requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance and other applicable requirements such as the Single Audit Act, discussed below. Other restrictions are not permissible.

35. *If a recipient must issue tax anticipation notes (TANs) to make up for tax due date deferrals or revenue shortfalls, are the expenses associated with the issuance eligible uses of Fund payments?*

If a government determines that the issuance of TANs is necessary due to the COVID-19 public health emergency, the government may expend payments from the Fund on the interest expense payable on TANs by the borrower and unbudgeted administrative and transactional costs, such as necessary payments to advisors and underwriters, associated with the issuance of the TANs.

36. *May recipients use Fund payments to expand rural broadband capacity to assist with distance learning and telework?*

Such expenditures would only be permissible if they are necessary for the public health emergency. The cost of projects that would not be expected to increase capacity to a significant extent until the need for distance learning and telework have passed due to this public health emergency would not be necessary due to the public health emergency and thus would not be eligible uses of Fund payments.

37. *Are costs associated with increased solid waste capacity an eligible use of payments from the Fund?*

Yes, costs to address increase in solid waste as a result of the public health emergency, such as relates to the disposal of used personal protective equipment, would be an eligible expenditure.

38. *May payments from the Fund be used to cover across-the-board hazard pay for employees working during a state of emergency?*

No. The Guidance says that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Hazard pay is a form of payroll expense and is subject to this limitation, so Fund payments may only be used to cover hazard pay for such individuals.

39. *May Fund payments be used for expenditures related to the administration of Fund payments by a State, territorial, local, or Tribal government?*

Yes, if the administrative expenses represent an increase over previously budgeted amounts and are limited to what is necessary. For example, a State may expend Fund payments on necessary administrative expenses incurred with respect to a new grant program established to disburse amounts received from the Fund.

40. *May recipients use Fund payments to provide loans?*

Yes, if the loans otherwise qualify as eligible expenditures under section 601(d) of the Social Security Act as implemented by the Guidance. Any amounts repaid by the borrower before December 30, 2020, must be either returned to Treasury upon receipt by the unit of government providing the loan or used for another expense that qualifies as an eligible expenditure under section 601(d) of the Social Security Act. Any amounts not repaid by the borrower until after December 30, 2020, must be returned to Treasury upon receipt by the unit of government lending the funds.

41. *May Fund payments be used for expenditures necessary to prepare for a future COVID-19 outbreak?*

Fund payments may be used only for expenditures necessary to address the current COVID-19 public health emergency. For example, a State may spend Fund payments to create a reserve of personal protective equipment or develop increased intensive care unit capacity to support regions in its jurisdiction not yet affected, but likely to be impacted by the current COVID-19 pandemic.

42. *May funds be used to satisfy non-federal matching requirements under the Stafford Act?*

Yes, payments from the Fund may be used to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19-related costs that otherwise satisfy the Fund's eligibility criteria and the Stafford Act. Regardless of the use of Fund payments for such purposes, FEMA funding is still dependent on FEMA's determination of eligibility under the Stafford Act.

43. *Must a State, local, or tribal government require applications to be submitted by businesses or individuals before providing assistance using payments from the Fund?*

Governments have discretion to determine how to tailor assistance programs they establish in response to the COVID-19 public health emergency. However, such a program should be structured in such a manner as will ensure that such assistance is determined to be necessary in response to the COVID-19 public health emergency and otherwise satisfies the requirements of the CARES Act and other applicable law. For example, a per capita payment to residents of a particular jurisdiction without an assessment of individual need would not be an appropriate use of payments from the Fund.

44. *May Fund payments be provided to non-profits for distribution to individuals in need of financial assistance, such as rent relief?*

Yes, non-profits may be used to distribute assistance. Regardless of how the assistance is structured, the financial assistance provided would have to be related to COVID-19.

45. *May recipients use Fund payments to remarket the recipient's convention facilities and tourism industry?*

Yes, if the costs of such remarketing satisfy the requirements of the CARES Act. Expenses incurred to publicize the resumption of activities and steps taken to ensure a safe experience may be needed due to the public health emergency. Expenses related to developing a long-term plan to reposition a recipient's convention and tourism industry and infrastructure would not be incurred due to the public health emergency and therefore may not be covered using payments from the Fund.

46. *May a State provide assistance to farmers and meat processors to expand capacity, such to cover overtime for USDA meat inspectors?*

If a State determines that expanding meat processing capacity, including by paying overtime to USDA meat inspectors, is a necessary expense incurred due to the public health emergency, such as if increased capacity is necessary to allow farmers and processors to donate meat to food banks, then such expenses are eligible expenses, provided that the expenses satisfy the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance.

47. *The guidance provides that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. May Fund payments be used to cover such an employee's entire payroll cost or just the portion of time spent on mitigating or responding to the COVID-19 public health emergency?*

As a matter of administrative convenience, the entire payroll cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible, provided that such payroll costs are incurred by December 30, 2020. An employer may also track time spent by employees related to COVID-19 and apply Fund payments on that basis but would need to do so consistently within the relevant agency or department.

48. *May Fund payments be used to cover increased administrative leave costs of public employees who could not telework in the event of a stay at home order or a case of COVID-19 in the workplace?*

The statute requires that payments be used only to cover costs that were not accounted for in the budget most recently approved as of March 27, 2020. As stated in the Guidance, a cost meets this requirement if either (a) the cost cannot lawfully be funded using a line item, allotment, or allocation within that budget or (b) the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. If the cost of an employee was allocated to administrative leave to a greater extent than was expected, the cost of such administrative leave may be covered using payments from the Fund.

49. *Are States permitted to use Coronavirus Relief Fund payments to satisfy non-federal matching requirements under the Stafford Act, including “lost wages assistance” authorized by the Presidential Memorandum on Authorizing the Other Needs Assistance Program for Major Disaster Declarations Related to Coronavirus Disease 2019 (August 8, 2020)?*

Yes. As previous guidance has stated, payments from the Fund may be used to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19-related costs that otherwise satisfy the Fund’s eligibility criteria and the Stafford Act. States are fully permitted to use payments from the Fund to satisfy 100% of their cost share for lost wages assistance recently made available under the Stafford Act.

50. *At what point would costs be considered to be incurred in the case of a grant made by a State, local, or tribal government to cover interest and principal amounts of a loan, such as might be provided as part of a small business assistance program in which the loan is made by a private institution?*

A grant made to cover interest and principal costs of a loan, including interest and principal due after the period that begins on March 1, 2020, and ends on December 30, 2020 (the “covered period”), will be considered to be incurred during the covered period if (i) the full amount of the loan is advanced to the borrower within the covered period and (ii) the proceeds of the loan are used by the borrower to cover expenses incurred during the covered period. In addition, if these conditions are met, the amount of the grant will be considered to have been used during the covered period for purposes of the requirement that expenses be incurred within the covered period. Such a grant would be analogous to a loan provided by the Fund recipient itself that incorporates similar loan forgiveness provisions. As with any other assistance provided by a Fund recipient, such a grant would need to be determined by the recipient to be necessary due to the public health emergency.

51. *If governments use Fund payments as described in the Guidance to establish a grant program to support businesses, would those funds be considered gross income taxable to a business receiving the grant under the Internal Revenue Code (Code)?*

Please see the answer provided by the Internal Revenue Service (IRS) available at <https://www.irs.gov/newsroom/cares-act-coronavirus-relief-fund-frequently-asked-questions>.

52. *If governments use Fund payments as described in the Guidance to establish a loan program to support businesses, would those funds be considered gross income taxable to a business receiving the loan under the Code?*

Please see the answer provided by the IRS available at <https://www.irs.gov/newsroom/cares-act-coronavirus-relief-fund-frequently-asked-questions>.

B. Questions Related to Administration of Fund Payments

1. *Do governments have to return unspent funds to Treasury?*

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the Fund that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

2. *What records must be kept by governments receiving payment?*

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act.

3. *May recipients deposit Fund payments into interest bearing accounts?*

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government's general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

4. *May governments retain assets purchased with payments from the Fund?*

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

5. *What rules apply to the proceeds of disposition or sale of assets acquired using payments from the Fund?*

If such assets are disposed of prior to December 30, 2020, the proceeds would be subject to the restrictions on the eligible use of payments from the Fund provided by section 601(d) of the Social Security Act.

6. *Are Fund payments to State, territorial, local, and tribal governments considered grants?*

No. Fund payments made by Treasury to State, territorial, local, and Tribal governments are not considered to be grants but are "other financial assistance" under 2 C.F.R. § 200.40.

7. *Are Fund payments considered federal financial assistance for purposes of the Single Audit Act?*

Yes, Fund payments are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

8. *Are Fund payments subject to other requirements of the Uniform Guidance?*

Fund payments are subject to the following requirements in the Uniform Guidance (2 C.F.R. Part 200): 2 C.F.R. § 200.303 regarding internal controls, 2 C.F.R. §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

9. *Is there a Catalog of Federal Domestic Assistance (CFDA) number assigned to the Fund?*

Yes. The CFDA number assigned to the Fund is 21.019.

10. *If a State transfers Fund payments to its political subdivisions, would the transferred funds count toward the subrecipients' total funding received from the federal government for purposes of the Single Audit Act?*

Yes. The Fund payments to subrecipients would count toward the threshold of the Single Audit Act and 2 C.F.R. part 200, subpart F re: audit requirements. Subrecipients are subject to a single audit or program-specific audit pursuant to 2 C.F.R. § 200.501(a) when the subrecipients spend \$750,000 or more in federal awards during their fiscal year.

11. *Are recipients permitted to use payments from the Fund to cover the expenses of an audit conducted under the Single Audit Act?*

Yes, such expenses would be eligible expenditures, subject to the limitations set forth in 2 C.F.R. § 200.425.

12. *If a government has transferred funds to another entity, from which entity would the Treasury Department seek to recoup the funds if they have not been used in a manner consistent with section 601(d) of the Social Security Act?*


The Treasury Department would seek to recoup the funds from the government that received the payment directly from the Treasury Department. State, territorial, local, and Tribal governments receiving funds from Treasury should ensure that funds transferred to other entities, whether pursuant to a grant program or otherwise, are used in accordance with section 601(d) of the Social Security Act as implemented in the Guidance.

AGENDA # 6.11
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: October 20, 2020

ORIGINATING DIVISION:	OMB – Finance	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Accounting		
PRESENTER:	Scott Goettl - 8586	ATTACHMENTS:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
PROJECT:		TIME REQUESTED:	
ACTION REQUESTED:	Approve Record of Disbursements and Approve Claims		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input checked="" type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
	
Approved:	DISTRIBUTION/FILING INSTRUCTIONS: Kathy Shanks
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to approve the records of disbursements and claims.

To comply with MN Statute 375.18 Subd. 1b **Delegation for paying certain claims:** A list of all claims paid under the procedures established by the county board shall be presented to the board for informational purposes only at the next regularly scheduled meeting after payment of the claim.

The Record of Disbursements will be available at the meeting.

Invoices total \$22,417,791.82 from September 1 through September 30, 2020.

Fiscal Impact: None

AGENDA # 6.12
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Transportation Services	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Highway Program Delivery		
PRESENTER:	Lisa Freese	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	CP T169-01	TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-167; Authorizing Revocation and Entering Into an Agreement for the Turnback of Mobile Manor Drive to Jackson Township		
CONTRACT/POLICY/GRANT:	<input checked="" type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☒ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☒ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-167; Authorizing Revocation and Entering Into a Turnback Agreement for Mobile Manor Drive to Jackson Township.

Scott County applied for and received Cooperative Agreement funding from the Minnesota Department of Transportation (MnDOT) to construct a local roadway to serve the Mobile Manor manufactured housing development along Trunk Highway (TH) 169 southwest of Shakopee. This road was constructed in 2018 and is now complete.

The Mobile Manor manufactured housing development had direct access to TH 169. This direct access was removed from TH 169 in advance of the construction of the TH 169/41 Interchange Project. The cooperative funding also leveraged state dollars for the local roadway.

Mobile Manor Drive was intended to become a township road or a future city street as annexation occurred. The City of Shakopee annexed a portion of property and roadway into the City. The turnback of the road will release the road and property the County is receiving from MnDOT to the respective jurisdictions of Jackson Township and the City of Shakopee.

The Mobile Manor housing development now has safe and convenient access to County Highway (CH) 69 and aligns with the northbound ramp of TH 169. The project also constructed a trail along Mobile Manor Drive that connects to a trail on CH 69, providing a non-motorized connection for residents to Shakopee.

Pursuant to Minn. Stat. §163.11 before revocation a road needs to meet county standards and after the revocation the county must maintain the road for two additional years. A review of the road condition with the Township Engineer was held on July 28 and a maintenance repair list was created. All items on the repair list have been addressed by the County to the Township Engineer's satisfaction. The County and Township also drafted a proposed turnback agreement to set out the expectations of the parties for an orderly transition.

A public hearing was held in the Township Hall on September 9, 2020 at 7:00 pm to discuss the turnback to the Township. The Township reviewed the turnback agreement at their October 10, 2020 Town Board Meeting. The Township approved the proposed turnback agreement for Mobile Manor Drive at the October meeting.

County staff recommends the revocation/turnback to Jackson Township and entering the turnback agreement.

Fiscal Impact:
None

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-167
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-167; AUTHORIZING REVOCATION AND ENTERING INTO AN
AGREEMENT FOR THE TURNBACK OF MOBILE MANOR DRIVE TO JACKSON TOWNSHIP**

WHEREAS, the County Board of Commissioners has the authority under Minnesota Statute 163.11 to revoke and turn back County roads to Towns; and

WHEREAS, in the interests of public safety, the County constructed Mobile Manor Drive ahead of the Trunk Highway (TH) 169/41 Interchange project; and

WHEREAS, the road will serve residents of Jackson Township as TH 169 transitions to a freeway; and

WHEREAS, the County has completed construction of Mobile Manor Drive as of November 1, 2018; and

WHEREAS, as required under Minnesota Statutes 163.11 Subd. 5 the County held a public hearing at Jackson Town Hall on September 9, 2020 at 7:00 pm as part of the turnback process; and

WHEREAS, the County and Jackson Township desire to transfer jurisdiction of Mobile Manor Drive in an orderly fashion and have therefore set forth their respective obligations to accomplish this objective in a Turnback Agreement; and

WHEREAS, the Turnback Agreement lays out the parties responsibilities for the transfer of jurisdiction including the timing of executing of a quit claim deed.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-167
Motion by Commissioner:	
Seconded by Commissioner:	

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Scott, Minnesota, hereby revokes that segment of the Mobile Manor Drive in Jackson Township and the Chairperson of the Board is authorized to enter into an Agreement with Jackson Township.

BE IT FURTHER RESOLVED, the Board authorizes execution of the quit claim deed by the Chairperson of the Board conveying this segment to Jackson Township upon receipt from the Minnesota Department of Transportation.

BE IT FINALLY RESOLVED, that approval of the Agreement is subject to approval by the County Attorney's Office as to form.

COMMISSIONERS	VOTE			
Weckman Brekke	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

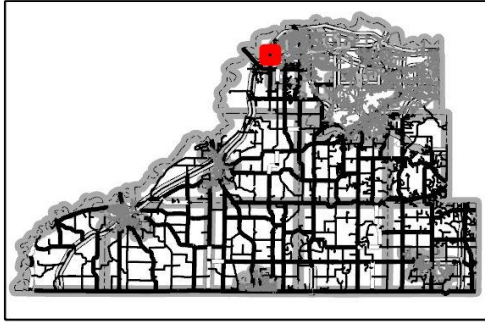
**State of Minnesota)
County of Scott)**

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October, 2020.

County Administrator

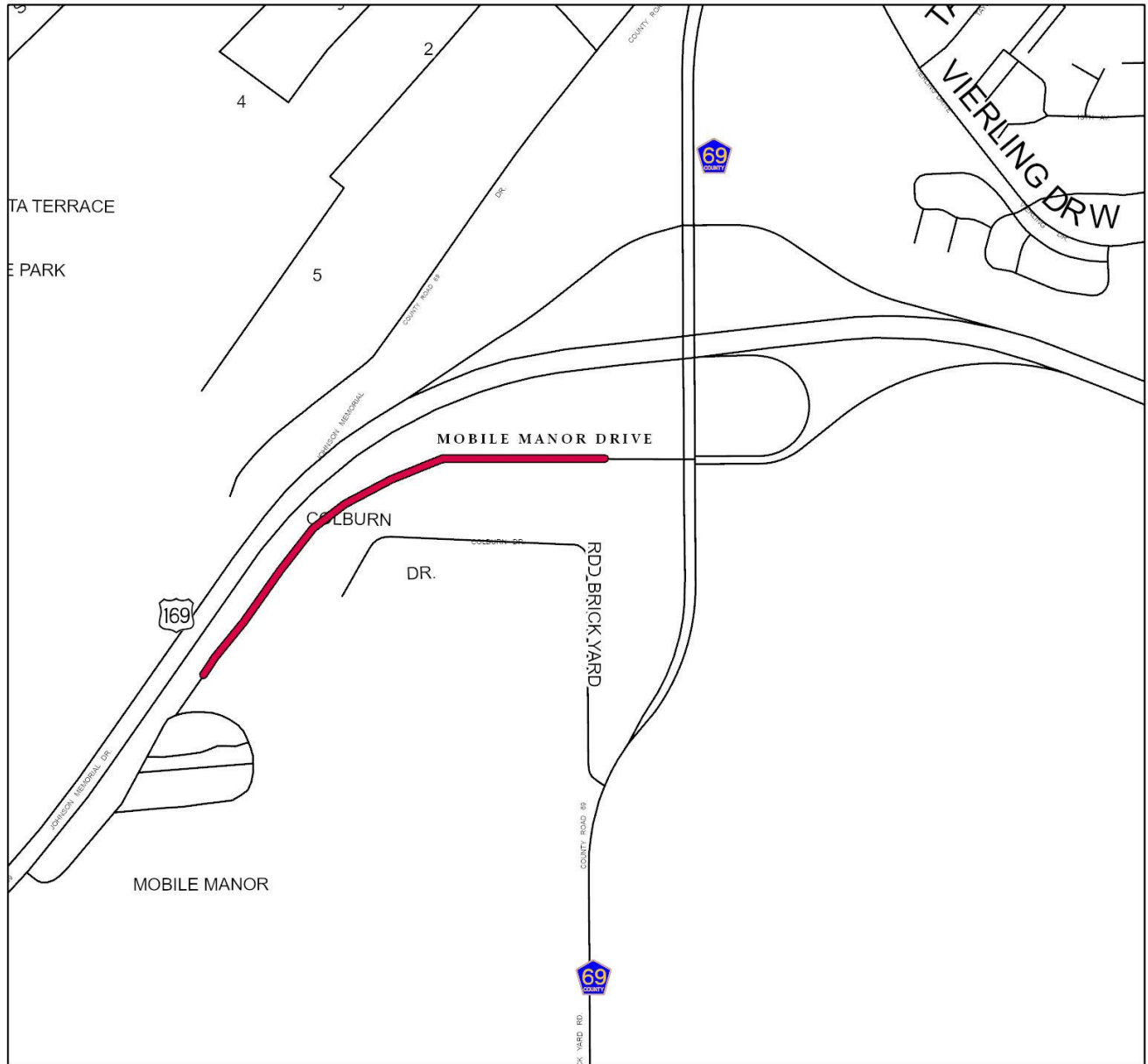
Administrator's Designee



SCOTT COUNTY

2020 RBA

Authorizing Revocation and Entering Into an
Agreement for the Turnback of Mobile Manor
Drive to Jackson Township



This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. Scott County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact the Scott County Surveyors Office.

0 0.04 0.09 0.17 0.26 Miles



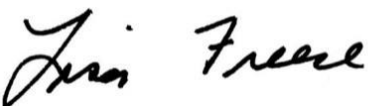
Date: 10/7/2020

AGENDA # 6.13
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Transportation Services	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Highway Program Delivery		
PRESENTER:	Lisa Freese	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	CPT 169-01	TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-168; Authorizing Revocation of Mobile Manor Drive to the City of Shakopee		
CONTRACT/POLICY/GRANT:	<input checked="" type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☒ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☒ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
	
Approved: Denied: Tabled: Other:	DISTRIBUTION/FILING INSTRUCTIONS:
Deputy Clerk : Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-168; Authorizing Revocation of Mobile Manor Drive to the City of Shakopee.

Scott County applied for and received Cooperative Agreement funding from the Minnesota Department of Transportation (MnDOT) to construct a local roadway to serve the Mobile Manor manufactured housing development along Trunk Highway (TH) 169 southwest of Shakopee. This road was constructed in 2018 and is now complete.

The Mobile Manor manufactured housing development had direct access to TH 169. This direct access was removed from TH 169 in advance of the construction of the TH 169/41 Interchange Project. The County applied for the Cooperative Agreement funding so this neighborhood access could be removed from the larger interchange project, and the cooperative funding also leveraged state dollars for the necessary local roadway.

Mobile Manor Drive was intended to become a township road or a future city street as annexation occurred. The City of Shakopee annexed the approximately eastern 330' of Mobile Manor Drive into the City.

Under Minnesota Statutes 163.11, Subd. 5. "Revocation and reversion; vacation by city or town. The county board, by resolution, may revoke any county highway. The highway shall thereupon revert to the town in which it is located; provided that any such revoked highway or portion thereof lying within the corporate limits of any city shall become a street of such city."

The turnback of the road would release the road and property the County is receiving from MnDOT to the respective jurisdictions of Jackson Township and the City of Shakopee.

The Mobile Manor housing development now has safe and convenient access to County Highway (CH) 69 and aligns with the southeast ramp of TH 169. The project also constructed a trail along Mobile Manor Drive that connects to a trail on CH 69, providing a non-motorized connection for residents to the rest of Shakopee.

Since the Mobile Manor Drive construction completion, the County has maintained the roadway. A crack fill and sealcoat on Mobile Manor Drive was performed this summer of 2020.

County staff recommends the turnback of the portion of Mobile Manor Drive in the City of Shakopee to the City.

Fiscal Impact:

None

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-168
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-168; AUTHORIZING REVOCATION OF MOBILE MANOR
DRIVE TO THE CITY OF SHAKOPEE**

WHEREAS, the County Board of Commissioners has the authority under Minnesota Statute 163.11 to revoke and turn back County roads to Cities; and

WHEREAS, in the interests of public safety, the County constructed Mobile Manor Drive ahead of the Trunk Highway (TH) 169/41 Interchange project; and

WHEREAS, the County has completed construction of Mobile Manor Drive as of November 1, 2018; and

WHEREAS, a portion of Mobile Manor Drive lies within the City of Shakopee.

WHEREAS, the Minnesota Department of transportation is transferring title to Scott County by November 30, 2020.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners in and for the County of Scott, Minnesota, hereby revokes that segment of the Mobile Manor Drive to the City of Shakopee.

BE IT FINALLY RESOLVED, the Board authorizes the Chairperson of the Board to execute the quit claim deed conveying this segment to City of Shakopee upon receipt from the Minnesota Department of Transportation.

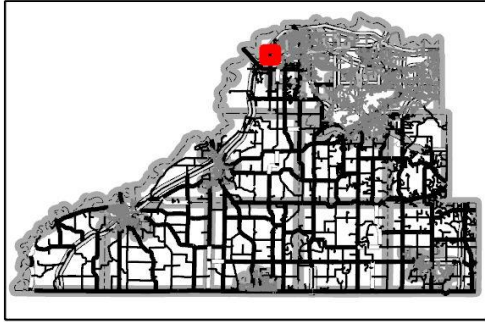
COMMISSIONERS	VOTE			
Weckman Brekke	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.
Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October, 2020.

County Administrator

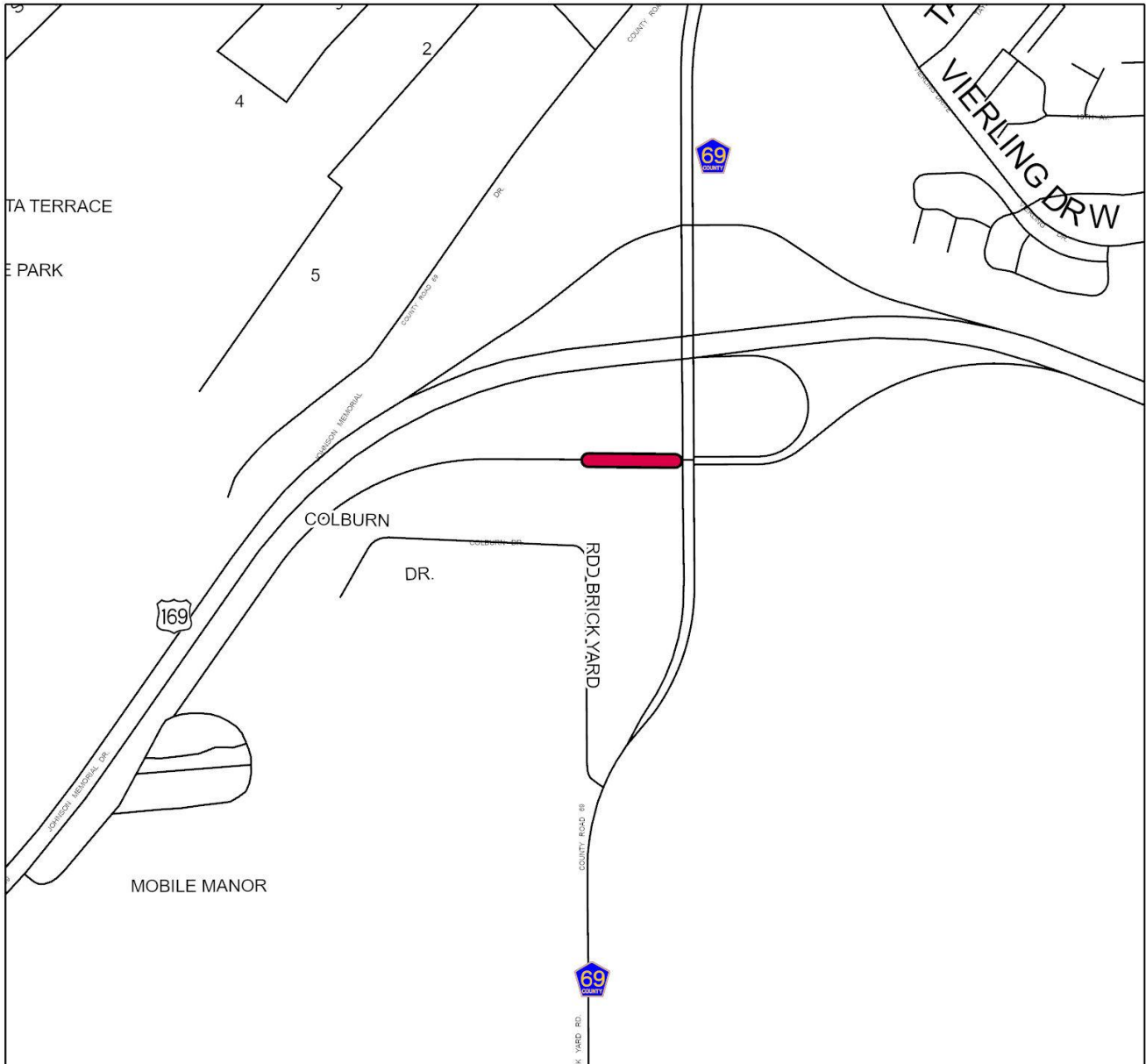
Administrator's Designee



SCOTT COUNTY

2020 RBA

Authorizing Revocation of Mobile Manor Drive in the City of Shakopee



This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. Scott County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact the Scott County Surveyors Office.

0 0.04 0.09 0.17 0.26 Miles



Date: 10/7/2020

AGENDA # 6.14
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION: ORIGINATING DEPARTMENT:	Transportation Services- Program Delivery	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PRESENTER:	Lisa Freese 8363	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	I-35W Solutions Alliance	TIME REQUESTED:	NA
ACTION REQUESTED:	Adopt Resolution No. 2020-171, Authorizing the Third Amendment and Restated Joint Powers Agreement Establishing the I-35W Solutions Alliance and Continuing Scott County's Membership on the Joint Powers Board		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☒ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☐ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-171, Authorizing the Third Amendment and Restated Joint Powers Agreement Establishing the I-35W Solutions Alliance and Continuing Scott County's Membership on the Joint Powers Board.

The I-35W Alliance was established in 1989 by a Joint Powers Agreement (JPA) among the cities of Burnsville, Bloomington, Lakeville, Richfield, Apple Valley, Minneapolis, and Savage, Dakota County and Hennepin County. The Alliance's Mission is to support increasing the capacity of the I-35W corridor to move people and goods safely through improvements to transit and highways. The I-35W Solutions Alliance members agree that flow of goods and people in the I-35W corridor is vital to the economic well-being of its members, the region, and the State.

Scott County has been a member of the Alliance since 2002. The City of Savage joined the alliance in 2005 and the City of Elko New Market joined in 2011.

Under its current JPA, the I-35W Solutions Alliance established an expiration date of December 31, 2020. The I-35W Solutions Alliance Board of Directors has determined that there still is a purpose for the I-35W Solutions Alliance JPA to exist and is recommending to its membership that the JPA be extended through December 31, 2030. This reinstatement will extend the JPA until December 31, 2030. All other changes to the JPA update statutory references and/or are stylistic changes. The dues for the Alliance membership are based on population and dues for Scott County are \$6,000 in 2020.

The I-35W Solutions Alliance current priority projects, updated in 2019 are:

- 1) I35W & I 494 Interchange Reconstruction; and
- 2) Trunk Highway 13 Improvements between US 169 and Nicollet Ave; and
- 3) I-35 Safety and Mobility Improvements to CSAH 70; and
- 4) the D Line BRT; and
- 5) 77th St Underpass and I-494 Access Reconfiguration.

Fiscal Impact:

None

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-171
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2012-171; AUTHORIZING THE THIRD AMENDMENT AND RESTATED
JOINT POWERS AGREEMENT ESTABLISHING THE I-35W SOLUTIONS ALLIANCE AND
CONTINUING SCOTT COUNTY'S MEMBERSHIP ON THE JOINT POWERS BOARD**

WHEREAS, the I-35W Solutions Alliance was established in 1989 by a Joint Powers Agreement among the cities of Burnsville, Bloomington, Lakeville, Richfield, Apple Valley, Minneapolis, Dakota County and Hennepin County, with Scott County, Savage, and Elko New Market joining later; and

WHEREAS, the I-35W Solutions Alliance has successfully and effectively achieved many of its objectives and has been recognized for its instrumental role helps set priorities for the corridor and facilitating and implementing those priorities; and

WHEREAS, additional major improvements and funding are needed in the I-35W corridor; and

WHEREAS, the Joint Powers Agreement that created the I-35W Solutions Alliance expires December 31, 2020 unless continued upon written agreement by all Members;

WHEREAS, it is in the best interests of the County of Scott, the region and the state to continue the work of the I-35W Solutions Alliance

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioner hereby approves the Third Amended and Restated Joint Powers Agreement of the I-35W solutions Alliance.

BE IT FINALLY RESOLVED, that the Board of Commissioners in and for the County of Scott, Minnesota, hereby authorizes the Chairperson of the Board to authorize an Amendment and a ten year extension to the Joint Powers Agreement that established the I-35W Solutions Alliance, subject to approval by the County Attorney's Office as to form.

COMMISSIONERS	VOTE			
Weckman Brekke	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Absent	<input type="checkbox"/> Abstain

State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October, 2020.

County Administrator

Administrator's Designee

Priority Projects

I-35/35W PROJECTS

I-35W/I-494 Interchange

- Develop and fund Phase 2 improvements

I-35 Safety and Mobility Improvements to CSAH 70

- Extension of MnPASS lanes
- Modernization of CSAH 50 interchange
- Kenrick Park and Ride station expansion

COUNTIES

Dakota County
Hennepin County
Scott County

CITIES

Bloomington
Burnsville
Elko New Market
Lakeville
Minneapolis
Richfield
Savage



D-Line BRT

- Extend transit service to Mall of America Along American Blvd, Portland Ave, and Chicago Ave

77th St Underpass and I-494 Access Reconfiguration

- 77th St Underpass at TH 77
- Nicollet Ave, Portland Ave, 12th Ave interchange improvements

TH 13 Improvements between US 169 and Nicollet Ave

- Remove traffic signals at Quentin Ave, Lynn Ave, and Washburn Ave

MISSION

Working together to enhance safety, reduce congestion and maximize economic development along the I35W corridor and its feeder routes; Cedar Ave/Hwy 77 and Hwy 169 by advocating for the funding building and maintenance of a robust multimodal transportation system.

October 2019
35Wsolutions.com

AGENDA # 6.15
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Health & Human Services	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Public Health		
PRESENTER:	Lisa Brodsky, Public Health Director, 8520	ATTACHMENTS:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
PROJECT:		TIME REQUESTED:	N/A
ACTION REQUESTED:	Adopt Resolution No. 2020-172; Authorizing an Amendment to the Current Agreement and Entering Into a New Five-Year Grant Agreement No. 183884 With the Minnesota Department of Health for the Statewide Health Improvement Program (SHIP)		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☒ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☐ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☒ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:		COUNTY ADMINISTRATOR SIGNATURE:	
Approved:		DISTRIBUTION/FILING INSTRUCTIONS: Pam Selvig Lisa Brodsky	
Denied:			
Tabled:			
Other:			
Deputy Clerk:			
Date:			

Background/Justification:

The purpose of this agenda item is to adopt Resolution No. 2020-172; Authorizing an Amendment to the Current Agreement and Entering Into a New Five-Year Grant Agreement No. 183884 With the Minnesota Department of Health for the Statewide Health Improvement Program (SHIP).

The SHIP Project Grant Amendment is to extend the current five-year grant (scheduled to end October 31, 2020) through June 30, 2021. Due to the COVID-19 Pandemic, agencies have experienced a slowing of their grant work. This no-cost extension will allow the County to continue using SHIP Year 5 funds for grant work through June 30, 2021.

The new five-year SHIP Grant Agreement begins November 1, 2020. This Grant Agreement includes the funding for the budget period of November 1, 2020--October 31, 2021 in the amount of \$328,759. A revised funding formula will be developed in conjunction with the SHIP Planning Funding, Scope of Work and Requirements Workgroup, to be put into effect November 2021 and be in place for the final four years of the SHIP grants.

The SHIP model uses research-based strategies to support community-led improvements in healthy eating and physical activity, helping to improve health by increasing opportunities for healthy choices. The priority target populations for this program include low income and diverse population in Scott County to reduce barriers for their participation in healthy eating and active living.

The scope of the proposed work includes partnering with the following sectors:

1. Schools and Childcare: Healthy Eating and Active Living and Tobacco
2. Community: Healthy Eating and Active Living and Tobacco
3. Worksites: Tobacco, Healthy Eating, Active Living and Breastfeeding
4. Health Care: Active Living and Breastfeeding
5. Wellbeing

Schools and Childcare

- Continue to work with school districts on Farm to School options, connecting farmers with schools to provide fresh, local foods and expand school gardens to additional schools
- Continue to implement increased physical activity opportunities which include active classrooms, active recess, increase students walking and biking to school with safe routes to school activities, and before and after school physical activity
- Continue to work on tobacco prevention
- Continue to work with Friends Family Neighbors Childcare to increase opportunities for healthy eating and active living

Community

- Work with emergency food programs to increase access to healthier food options for low income residents
- Create community gardens and edible landscapes in low income and diverse communities
- In partnership with parks and planning staff in Scott County, identify and explore gaps in order to make parks and trails accessible to people of all abilities

Worksites

- Work with employers to assist with assessment, planning and evaluation of worksite wellness programs, in addition to providing resources and information that support healthy choices while in the workplace

Healthcare

- Continue to collaborate with Three Rivers Parks Department to engage medical providers to encourage active living through the use of outdoor park spaces
- Collaborate with Early Childhood Family Education (ECFE) to provide support for breastfeeding and promote early learning

Wellbeing

- Build capacity and identifying needs related to mental health and wellbeing

The agency will focus on efforts for sustainability of this work and partnerships that will lead to long lasting change and a healthier future for Scott County residents. Strong evaluation components to improve our understanding of what is working and evaluating outcomes are included.

SHIP focuses on helping communities make sustainable policy, systems and environmental (PSE) changes that expand opportunities for residents to eat healthier, be more active and live without the harms of commercial tobacco smoke and exposure to secondhand smoke.

An investment in SHIP is vital to Minnesota because it helps residents live healthier lives and reduces health care costs through low-cost, prevention strategies. With SHIP and other community-based efforts that focus on prevention, we can reduce the burden that chronic disease has on our state and, with our partners, create better health together.

Fiscal Impact:

The application to MDH for the Statewide Health Improvement Program is budget neutral. The \$328,759 implementation grant will fully fund 3.0 FTE staff including salary, benefits, mileage and equipment and all other costs associated with SHIP. The 3.0 full time equivalents include:

- A 1.0 FTE SHIP Coordinator
- Two .85 FTE Community Health Specialists
- A .30 FTE SHIP Evaluator to conduct all related reporting and evaluation

There is a 10% County match associated with this grant which will be attained through current staff expense. Participation in this program and approval of the grant application does not negatively impact the Health and Human Services Budget.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-172
Motion by Commissioner:	
Seconded by Commissioner:	

RESOLUTION NO. 2020-172; AUTHORIZING AN AMENDMENT TO THE CURRENT AGREEMENT AND ENTERING INTO A NEW FIVE-YEAR GRANT AGREEMENT NO. 183884 WITH THE MINNESOTA DEPARTMENT OF HEALTH FOR THE STATEWIDE HEALTH IMPROVEMENT PROGRAM (SHIP)

WHEREAS, the State and the County have mutual goals to expand opportunities for active living, healthy eating, and commercial tobacco-free living; and

WHEREAS, the SHIP model uses researched-based strategies to support community-led improvements in healthy eating and physical activity, helping to improve health by increasing opportunities for healthy choices; and

WHEREAS, the SHIP Project Grant Amendment is to extend the current five-year grant (scheduled to end October 31, 2020) through June 30, 2021, allowing the County to continue using SHIP Year 5 funds for grant work through June 30, 2021; and

WHEREAS, the new five-year SHIP Grant Agreement includes the funding for the budget period of November 1, 2020--October 31, 2021 in the amount of \$328,759; and

WHEREAS, a revised funding formula will be developed in conjunction with the SHIP Planning Funding, Scope of Work and Requirements Workgroup, to be put into effect November 2021 and be in place for the final four years of the SHIP grants;

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners in and for the County of Scott, Minnesota, hereby authorizes the Chairperson of the Board to approve the amendment to the current agreement and enter into a new five year Grant Agreement No. 183884 with the Minnesota Department of Health for the Statewide Health Improvement Program (SHIP), subject to approval by the County Attorney's Office as to form.

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)

County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 13th day of October, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 13th day of October, 2020.

County Administrator

Administrator's Designee

AGENDA # 6.16
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Planning & Res Mgmt.	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Zoning Administration		
PRESENTER:	Greg Wagner - 8360	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	Carol Bauer Rezone	TIME REQUESTED:	
ACTION REQUESTED:	Approve the Request for Rezoning of 40 Acres From A-1, Agricultural Preservation District to A-3, Agricultural Preservation Density (Carol Bauer, Applicant and Carol and Roger Bauer, Property Owners) in Section 23 of Belle Plaine Township		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☒ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☐ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:		COUNTY ADMINISTRATOR SIGNATURE:	
Approved:		DISTRIBUTION/FILING INSTRUCTIONS:	
Denied:			
Tabled:			
Other:			
Deputy Clerk :			
Date:			

Background/Justification:

The purpose of this agenda item is to approve the request for rezoning of 40 acres from A-1, Agricultural Preservation District to A-3, Agricultural Preservation Density (Carol Bauer, Applicant and Carol and Roger Bauer, Property Owners) in Section 23 of Belle Plaine Township.

This action was recommended by the Scott County Planning Advisory Commission on October 12, 2020 in accordance with Chapters 2 and 60 of the Scott County Zoning Ordinance No. 3 based on the criteria for approval listed below.

Fiscal Impact:

None

SCOTT COUNTY, MINNESOTA REQUEST FOR BOARD ACTION

Carol Bauer, Applicant and Carol & Roger Bauer, Property Owners

Request for Rezoning

Criteria for Approval:

1. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official County Comprehensive Plan.*
The proposed rezoning conforms to the goals and policies contained in the 2040 Comprehensive Plan for preservation of agricultural land.
2. *The proposed use is or will be compatible with present and future land uses of the area.*
The property use is not changing from the existing farmstead and agricultural land, and while the home lot size is being reduced the overall density will not increase.
3. *The proposed use conforms to all performance standards contained in this Ordinance.*
The use of the property is not changing; the majority of the property will remain in agricultural production.
4. *The proposed use can be accommodated with existing and planned public services and will not overburden the County or Township's service capacity.*
The use is not changing or increasing development and therefore will not adversely impact public service capacity for local service providers.
5. *Traffic generation by the proposed use is within capabilities of streets serving the property.*
The property is served by 255th Street West, a gravel Belle Plaine township road, and there will be no increase in traffic based on this request.

And noting that Belle Plaine Township has recommended approval of the rezoning request.

**BELLE PLAINE TOWNSHIP
SECTION 23
CAROL BAUER
REQUEST FOR REZONING**



**BELLE PLAINE TOWNSHIP
SECTION 23
CAROL BAUER
REQUEST FOR REZONING**



Area of Rezoning

Delaware Avenue

260th Street West

263rd Street West

7880 255TH STREET WEST
BELLE PLAINE, MN 56011

Tract A = 91.13 acres
Tract B = 10.25 acres

Suite 230
16670 Franklin Trail S.E.
Prior Lake, Minnesota 55372



- DENOTES IRON MONUMENT FOUND
○ DENOTES IRON MONUMENT SET AND MARKED BY LICENSE NO. 42309

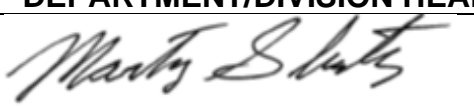
Minnesota License Number 42309
Dated this 6th day of October 2020

AGENDA # 6.17
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20. 2020

ORIGINATING DIVISION:	Planning & Res Mgmt.	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:	Zoning Administration		
PRESENTER:	Greg Wagner - 8360	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	Mesenbrink Rezone	TIME REQUESTED:	N/A
ACTION REQUESTED:	Approve the Request to Rezone 95.32 Acres from UER, Urban Expansion Reserve District, to UER-C, Urban Expansion Reserve Cluster District, (John Mesenbrink, Applicant and John and Mary Mesenbrink, Property Owners) in Section 10 of Credit River Township.		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☒ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☐ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
	
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to approve the request to rezone 95.32 acres from UER, Urban Expansion Reserve District to UER-C, Urban Expansion Reserve Cluster District (John Mesenbrink, Applicant and John and Mary Mesenbrink, Property Owners) in Section 10 of Credit River Township.

This action was recommended by the Scott County Planning Advisory Commission on October 12, 2020 in accordance with Chapters 2 and 60 of the Scott County Zoning Ordinance No. 3 based on the criteria for approval listed below.

Fiscal Impact:

None

SCOTT COUNTY, MINNESOTA REQUEST FOR BOARD ACTION

John Mesenbrink, Applicant and John and Mary Mesenbrink, Property Owners

Rezoning

Criteria for Approval:

1. *The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the official County Comprehensive Plan.*

The proposed rezoning conforms to the goals and policies contained in the 2040 Comprehensive Plan for Urban Expansion development density. Credit River Township adopted their Comprehensive Plan on September 9, 2020 and they have the property guided as Diversified Rural. The density proposed under this rezoning request is consistent with the Township's adopted land use plan.

2. *The proposed use is or will be compatible with present and future land uses of the area.*

The use is not changing and while the lot size is being reduced the overall density will remain at one unit per 40 acres.

3. *The proposed use conforms to all performance standards contained in this Ordinance.*

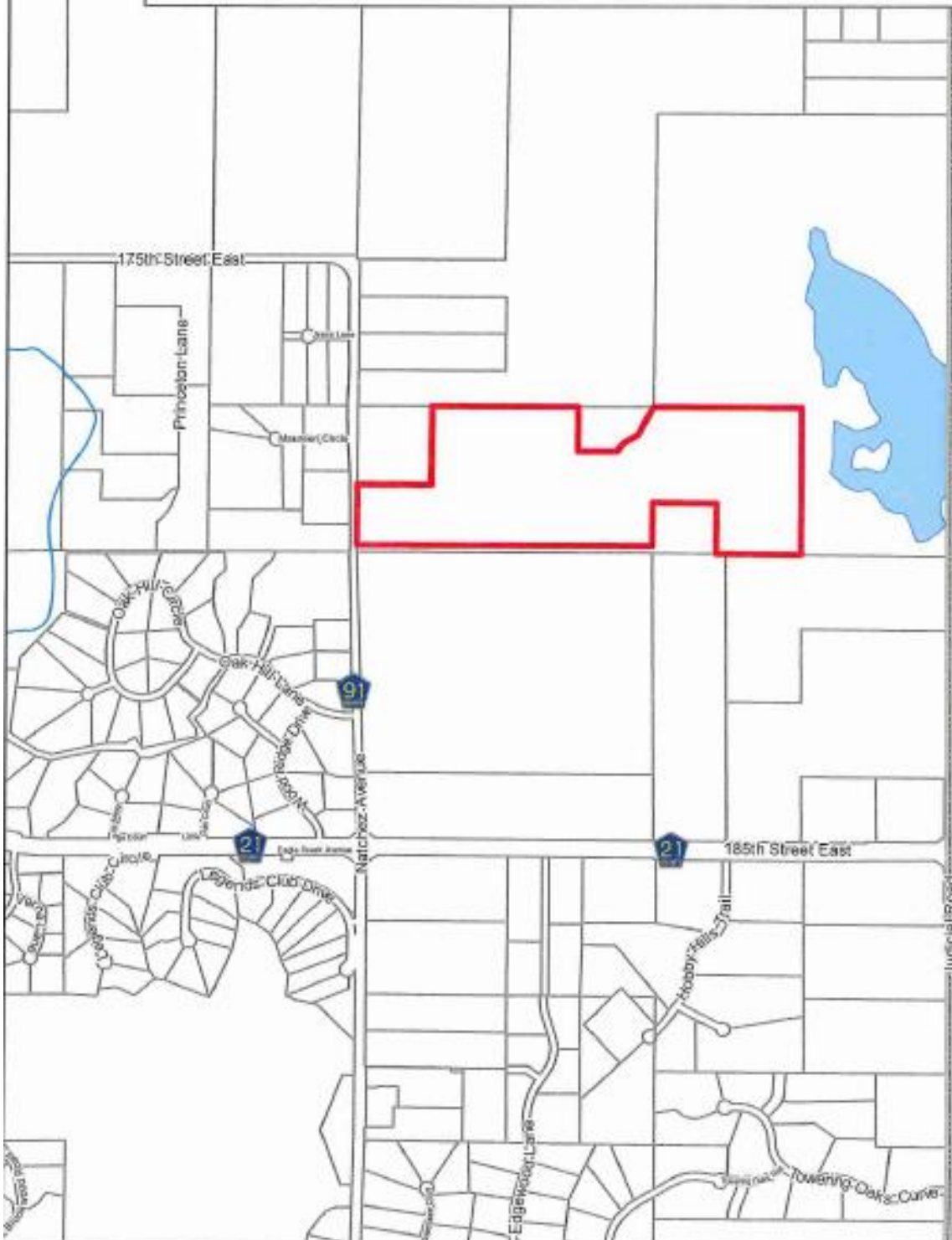
The use of the property is not changing, the majority of the property will remain either agricultural, woodlands, or wetland except for areas around the buildings.

4. *The proposed use can be accommodated with existing and planned public services and will not overburden the County or Township's service capacity.*

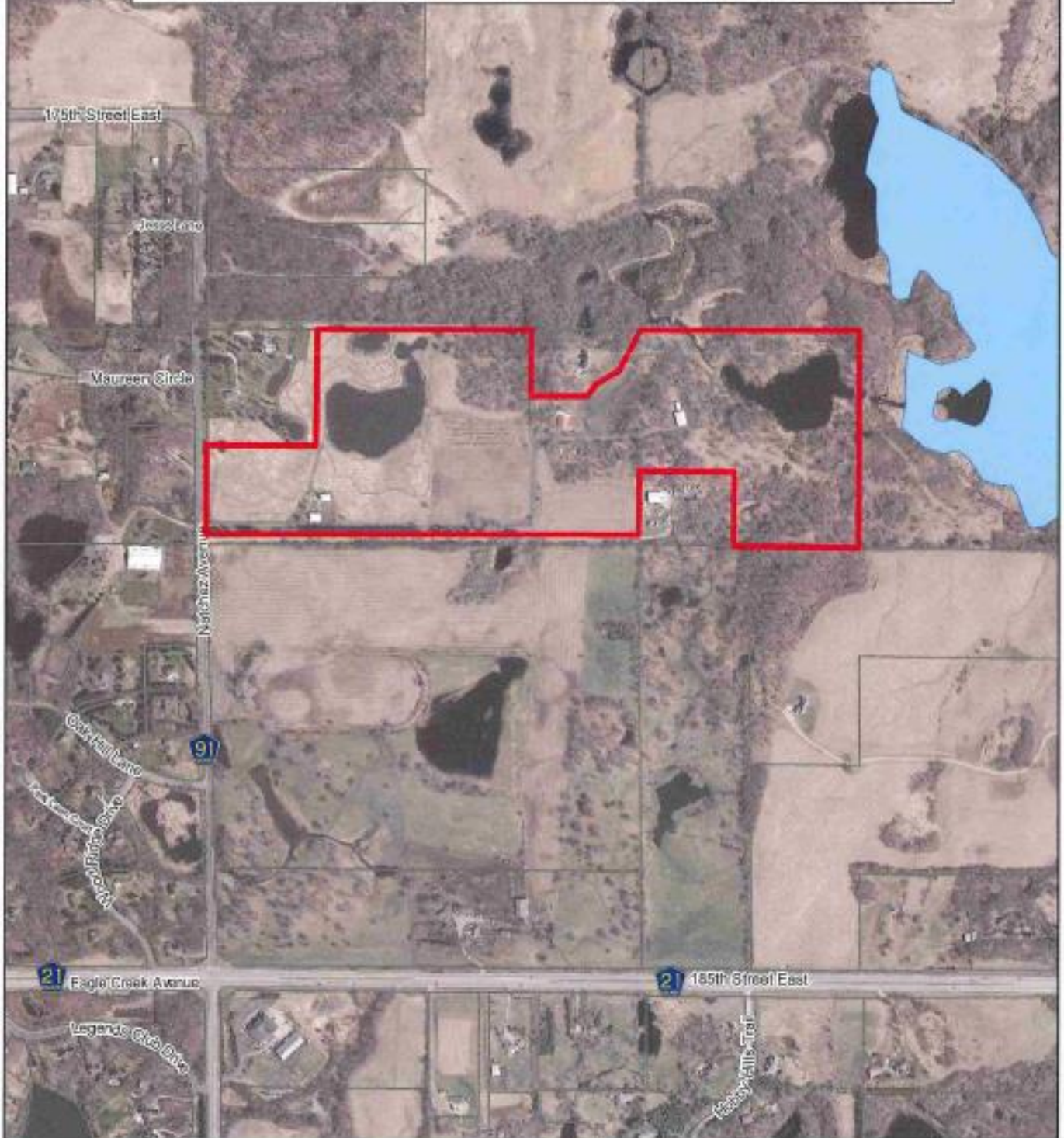
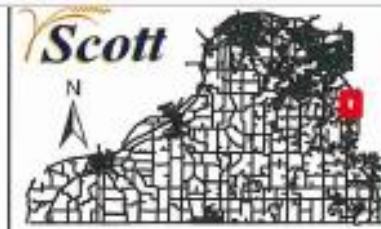
The use is not changing and therefore will not adversely impact public service capacity for local service providers.

5. *Traffic generation by the proposed use is within capabilities of streets serving the property.*

The use of the property is not changing so traffic generation will not increase beyond the current levels.



**CREDIT RIVER TOWNSHIP
SECTION 10
JOHN & MARY MESENBRINK
REQUEST FOR REZONING**



July 28, 2020

Scott County Zoning Administration
200 Fourth Avenue West
Shakopee, MN 55379

To whom it may concern:

I am asking to rezone my property from UER to UER-C to split off a parcel for my daughter's home.

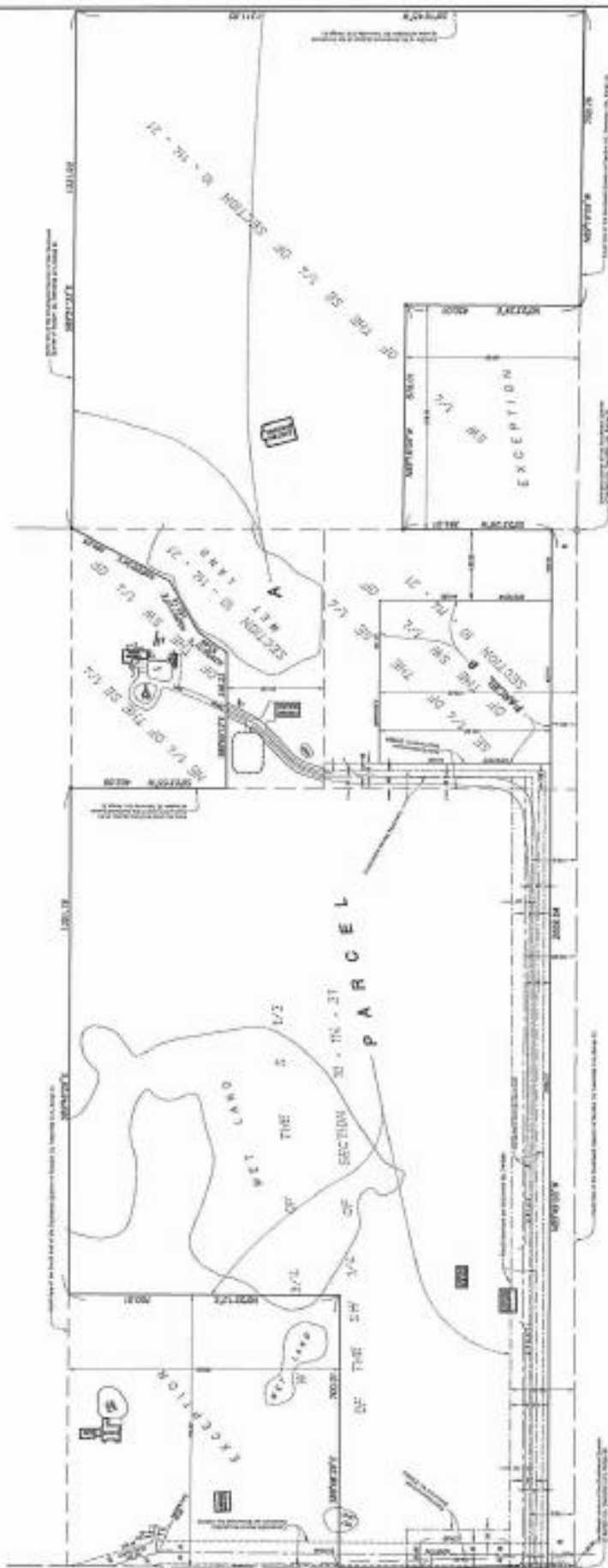
I am asking for a variance for the lot width from 100 foot wide to 66 foot wide due to the obstruction from one of our out buildings then back to the 100 foot width the rest of the way to the street.

Thank you,



John Mesenbrink

Survey for: JOHN & MARY MESENBRINK



ANALYSIS & DISCUSSION

The purpose of this survey is to determine the boundaries of the land owned by John & Mary Mesenbrink. The survey was conducted on the 10th day of May, 1980, and the results are shown on the map. The land is located in the Township of 10 North, Range of 10 East, and is situated in the County of 10.

The survey was conducted by the Surveyor of the County of 10, and the results are shown on the map. The land is located in the Township of 10 North, Range of 10 East, and is situated in the County of 10.

The survey was conducted by the Surveyor of the County of 10, and the results are shown on the map. The land is located in the Township of 10 North, Range of 10 East, and is situated in the County of 10.

The survey was conducted by the Surveyor of the County of 10, and the results are shown on the map. The land is located in the Township of 10 North, Range of 10 East, and is situated in the County of 10.

The survey was conducted by the Surveyor of the County of 10, and the results are shown on the map. The land is located in the Township of 10 North, Range of 10 East, and is situated in the County of 10.

The survey was conducted by the Surveyor of the County of 10, and the results are shown on the map. The land is located in the Township of 10 North, Range of 10 East, and is situated in the County of 10.

ANALYSIS & DISCUSSION

The purpose of this survey is to determine the boundaries of the land owned by John & Mary Mesenbrink. The survey was conducted on the 10th day of May, 1980, and the results are shown on the map. The land is located in the Township of 10 North, Range of 10 East, and is situated in the County of 10.

The survey was conducted by the Surveyor of the County of 10, and the results are shown on the map. The land is located in the Township of 10 North, Range of 10 East, and is situated in the County of 10.

The survey was conducted by the Surveyor of the County of 10, and the results are shown on the map. The land is located in the Township of 10 North, Range of 10 East, and is situated in the County of 10.

The survey was conducted by the Surveyor of the County of 10, and the results are shown on the map. The land is located in the Township of 10 North, Range of 10 East, and is situated in the County of 10.

The survey was conducted by the Surveyor of the County of 10, and the results are shown on the map. The land is located in the Township of 10 North, Range of 10 East, and is situated in the County of 10.

The survey was conducted by the Surveyor of the County of 10, and the results are shown on the map. The land is located in the Township of 10 North, Range of 10 East, and is situated in the County of 10.

Rehder and Associates, Inc.
304 SHAWNEE AVE. S.W.
ALBUQUERQUE, N.M. 87102

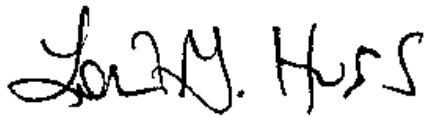
Survey for: JOHN & MARY MESENBRINK

AGENDA # 6.18
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION: ORIGINATING DEPARTMENT:	Employee Relations	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PRESENTER:	Janelle McGlinchey	ATTACHMENTS:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
PROJECT:	---	TIME REQUESTED:	---
ACTION REQUESTED:	Approve Payroll Processing of Personnel Actions Indicated Below and Hereby Certified by the Employee Relations Director and the Appointing Authority to be in Compliance With the Provisions of Minnesota Statutes 375.56 – 375.71 and the Scott County Personnel System		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☒ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☐ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☐ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:		COUNTY ADMINISTRATOR SIGNATURE:	
			
Approved:		DISTRIBUTION/FILING INSTRUCTIONS: Janelle McGlinchey, Employee Relations Cara Madsen, Volunteer and Community Coordinator	
Denied:			
Tabled:			
Other:			
Deputy Clerk :			
Date:			

Background/Justification:

1. Separation of employment for Brian Studer, PT (FTE 34%) Sheriff Deputy – Unclassified, County Sheriff's Office, effective 10/11/20.

2. FT Probationary employment of Eddieberto Sanchez, Corrections Officer, County Sheriff's Office, effective 10/05/20.
3. FT Probationary employment of Luis Paniagua Jr., Corrections Officer, County Sheriff's Office, effective 10/05/20.
4. FT Temporary employment for Mathias Soto-Elgueta, Community Health Specialist – Unclassified, Health and Human Services Division, effective 10/13/20.
5. FT Temporary employment for Astrid Sandoval, Community Health Specialist – Unclassified, Health and Human Services, effective 10/13/20.
6. PT (FTE 32%) Temporary employment for Chrissy Degendorfer, Administrative Specialist – Unclassified, Health and Human Services Division, effective 09/30/20.
7. Intermittent (FTE 34%) employment for Rachael Gardner, Corrections Officer – Unclassified, County Sheriff's Office, effective 10/12/20.
8. Intermittent (FTE 34%) employment for Jenna Nelson, Facility Probation Officer – Unclassified, Health and Human Services Division, effective 10/06/20.
9. The recognition of the following individuals as volunteers which will enable them to be covered for liability insurance purposes in accordance with the insurance contracts currently in force with Scott County:

Add		Delete
Denver Crowell	Cathleen Reynolds	Julie Ditzler
Nancy Taklo	Matthew Topkah	
Kevin Forss	Patrick Swope	
Megan Bergstrom		

Fiscal Impact: N/A

AGENDA # 6.19
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Administration	CONSENT AGENDA:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ORIGINATING DEPARTMENT:		ATTACHMENTS:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
PRESENTER:	Danny Lenz	TIME REQUESTED:	NA
PROJECT:	CIP		
ACTION REQUESTED:	Adopt Resolution No. 2020-177; Setting a Public Hearing Date of November 17, 2020 at 10:30 a.m. to Amend the Capital Improvement Plan to Provide For The Use of Excess Proceeds of General Obligation Bonds Issued Thereunder		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☐ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☒ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☒ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this request is to adopt Resolution No. 2020-177; setting a public hearing date of November 17, 2020 at 10:30 a.m. to amend the Capital Improvement Plan to provide for the use of excess proceeds of General Obligation Bonds issued thereunder.

On May 2, 2019, the County issued General Obligation Capital Improvement Plan and Refunding Bonds, Series 2019A, in the original aggregate principal amount of \$77,430,000, of which \$69,555,000 in principal amount was allocated to finance Capital Improvements for the renovation of the County Justice Center, construction of additional buildings on the campus of the County Government Center, renovation of the County Government Center, construction of a building for equipment storage among other identified projects.

The bonds were issued following a public hearing of the County's 2019-2023 Five-Year Capital Improvement Plan where the bond sale was authorized, required under Minnesota Statutes, Section 373.40.

The majority of the projects authorized in the 5-year CIP have had bids awarded and construction underway. The current estimates on the approved project show funds remain available from the bond issue. There is additional interest earnings from the bond proceeds that have not been expended yet.

The remaining bond funds and interest earnings can only be spent on projects identified within the 5-year CIP as eligible for bond funding, unless the Board of County Commissioners amends the 5-year CIP. The CIP is being amended in order to fund the construction of a courtroom in the County's Law Enforcement Center and to upgrade the Security Access Controls (card readers). It will also fund the County's contribution to the costs of the construction of the Hennepin County Medical Examiner's new facility.

Prior to amending the CIP Plan, the Board is required to conduct a public hearing to amend the CIP Plan to provide for the use of the excess proceeds of the CIP Bonds.

Fiscal Impact:

The funding of the LEC Courtroom and the Security Access Control upgrade can be completely covered through the use of the remaining bond funds and interest earnings. The construction of the courtroom is anticipated to save the County \$300,000 - \$500,000 annually anticipated future staff savings. The remaining funding will cover approximately half the cost of the Medical Examiner's facility, with the remaining funding coming from funds that can only be used for one-time expenses. Fully paying the County's portion of this facility will save the County approximately \$100,000 in on-going operating costs.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-177
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-177; SETTING A PUBLIC HEARING DATE OF NOVEMBER 17, 2020 AT 10:30
A.M. TO AMEND THE CAPITAL IMPROVEMENT PLAN TO PROVIDE FOR THE USE OF EXCESS
PROCEEDS OF GENERAL OBLIGATION BONDS ISSUED THEREUNDER**

BE IT RESOLVED By the Board of Commissioners (the "Board") of Scott County, Minnesota (the "County"), that on December 18, 2018, following a duly noticed public hearing, the Board approved the County's 2019 through 2023 Five-Year Capital Improvement Plan, as amended (the "CIP Plan") pursuant to Minnesota Statutes, Section 373.40, as amended (the "Act"). The CIP Plan authorized the issuance of general obligation bonds in the maximum principal amount of \$75,000,000 to provide for the undertaking of certain capital improvements described in the CIP Plan, including but not limited to the renovation of the County Justice Center, construction of additional buildings on the campus of the County Government Center, renovation of the County Government Center, and construction of a building for equipment storage (collectively, the "Capital Improvements").

BE IT FURTHER RESOLVED, that on May 2, 2019, the County issued its General Obligation Capital Improvement Plan and Refunding Bonds, Series 2019A (the "Bonds"), in the original aggregate principal amount of \$77,430,000, of which \$69,555,000 in principal amount was allocated to financing the Capital Improvements (the "CIP Bonds").

BE IT FURTHER RESOLVED, Scott County has determined that a portion of the proceeds of the CIP Bonds remains unspent and has determined to amend the CIP Plan to provide for the use of the excess proceeds to finance the construction of a courtroom in the County's Law Enforcement Center and to upgrade the Security Access Controls (card readers). It will also finance the County's contribution to the cost of the construction of the Hennepin County Medical Examiner's new facility.

BE IT FURTHER RESOLVED, that prior to amending the CIP Plan, the Board is required to conduct a public hearing to amend the CIP Plan to provide for the use of the excess proceeds of the CIP Bonds.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-177
Motion by Commissioner:	
Seconded by Commissioner:	

BE IT FURTHER RESOLVED, that in accordance with the Act, the Board hereby calls for a public hearing on Tuesday, November 17, 2020, at 10:30 a.m., to consider the adoption of the amendment to the CIP Plan and the use of the excess proceeds of the CIP Bonds.

BE IT FINALLY RESOLVED, that the Clerk of the Board is hereby directed to cause a notice of public hearing, in substantially the form attached hereto as EXHIBIT A, to be published at least fourteen (14) but not more than twenty-eight (28) days before the date of the public hearing in the official newspaper of the County or a newspaper of general circulation in the County.

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the 20th day of October 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this 20th day of October 2020.

County Administrator

Administrator's Designee

EXHIBIT A

NOTICE OF PUBLIC HEARING

SCOTT COUNTY, MINNESOTA

NOTICE OF PUBLIC HEARING ON AN AMENDMENT TO SCOTT COUNTY'S FIVE-YEAR CAPITAL IMPROVEMENT PLAN AND THE USE OF EXCESS PROCEEDS OF GENERAL OBLIGATION BONDS ISSUED THEREUNDER

NOTICE IS HEREBY GIVEN that the Board of Commissioners (the "Board") of Scott County, Minnesota (the "County") will meet on Tuesday, November 17, 2020, at or after 10:30 a.m., in the County Board Room of the County's Government Center, located at 200 Fourth Avenue West, Shakopee, Minnesota, to hold a public hearing concerning the approval of an amendment to the five-year capital improvement plan adopted by the Board on December 18, 2018, as amended (the "CIP Plan"). The amendments will be set forth in the County's five-year capital improvement plan for the years 2020 through 2024. The purpose of the amendments to the CIP Plan is to provide for the use of unspent proceeds of the County's General Obligation Capital Improvement Plan and Refunding Bonds, Series 2019A, issued on May 2, 2019, in the original aggregate principal amount of \$77,430,000, to finance additional capital improvements in the County (the "Additional Projects"), including the construction of a courtroom in the County's Law Enforcement Center, the upgrade of Security Access Controls (card readers), and the County's contribution to the costs of the construction of Hennepin County Medical Examiner's new facility. No additional general obligation bonds will be issued under the CIP Plan to finance the Additional Projects.

All interested persons may appear and be heard at the public hearing either orally or in writing, or may file written comments with the Clerk of the Board before the hearing.

PLEASE NOTE, due to COVID-19, the public hearing may be conducted via telephone or other electronic means as allowed under Minnesota Statutes, Section 13D.021. Please refer to the County's website at <https://www.scottcountymn.gov/> or call the Government Center at 952-445-7750 to learn how to attend the public hearing via telephone or electronically.

Dated: [Date of Publication]

**BY ORDER OF THE BOARD OF COMMISSIONERS OF
SCOTT COUNTY, MINNESOTA**

By /s/ Lezlie Vermillion
Clerk of the County Board
Scott County, Minnesota

AGENDA # 7.1
SCOTT COUNTY, MINNESOTA
REQUEST FOR BOARD ACTION
MEETING DATE: OCTOBER 20, 2020

ORIGINATING DIVISION:	Planning & Res. Mgmt.	CONSENT AGENDA:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ORIGINATING DEPARTMENT:	Parks and Trails		
PRESENTER:	Patty Freeman - 8752	ATTACHMENTS:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
PROJECT:	2040 Regional Parks Policy Plan Amendment	TIME REQUESTED:	NA
ACTION REQUESTED:	Adopt Resolution No. 2020-175; Authorizing Submittal of Comments on the Metropolitan Council's Draft Amendment to the 2040 Regional Parks Policy Plan		
CONTRACT/POLICY/GRANT:	<input type="checkbox"/> County Attorney Review <input type="checkbox"/> Risk Management Review	FISCAL:	<input type="checkbox"/> Finance Review <input type="checkbox"/> Budget Change

ORGANIZATIONAL VALUES:

- ☒ **Customer Service:** We will deliver government services in a respectful, responsive, and solution-oriented manner
- ☒ **Communication:** We will always be clear about what we're doing and why we're doing it
- ☐ **Collaboration:** We will work with partners – communities, schools, faith groups, private business, and non-profit agencies – to see that services are not duplicated but rather are complimentary, aligned and provided by the partners who can deliver the service most effectively
- ☐ **Stewardship:** We will work proactively to make investments, guided by resident input, which will transform lives, communities, and government
- ☐ **Empowerment:** We will work with individuals and families to affirm strengths, develop skills, restore hope, and promote self-reliance
- ☐ **Resiliency:** We will foster public preparedness and respond when families and communities face health and safety emergencies
- ☐ **Innovation:** We will take informed risks to deliver services more effectively and will learn from our successes and failures

DEPARTMENT/DIVISION HEAD SIGNATURE:	COUNTY ADMINISTRATOR SIGNATURE:
Approved:	DISTRIBUTION/FILING INSTRUCTIONS:
Denied:	
Tabled:	
Other:	
Deputy Clerk :	
Date:	

Background/Justification:

The purpose of this agenda item is to adopt Resolution 2020-175; Authorizing Submittal of Comments on the Metropolitan Council's Draft Amendment to the 2040 Regional Parks Policy Plan.

The Metropolitan Council's (Council) Regional Parks Policy Plan sets the long-range policy framework for the regional park system across the metropolitan area. State law requires the Council to comprehensively review the Regional Parks Policy Plan every four years and amend as needed. The 2040 Regional Parks Policy Plan was adopted in February 2015 and updated in 2018. A planning process to amend the Regional Parks Policy Plan was kicked off by the Council in late 2019. The draft amendment to the 2040 Regional Parks Policy Plan is currently available for public review and comment with a public hearing scheduled for Monday, October 19 at 4:00 p.m. Comments are being accepted through Monday, October 30 at 5:00 p.m.

The 2040 Regional Parks Policy Plan has four main topic areas:

1. Overview and definition of the system and its components, such as regional parks, park reserves, and regional trails.
2. The System Plan (and identification of the approved regional park and trail units and search corridors in the system).
3. Guiding policies for acquisition, planning, system protection, recreation activities and facilities, and finance.
4. Finance of the regional parks system.

The draft amendment to the Plan includes:

- System Additions; and
- Clarification of a new type of special recreation features – bridging facilities; and
- A new policy for regional park and trail boundary adjustments; and
- New master planning requirements; and
- Policy clarifications and updates; and
- A work plan for studies and analysis to update policies for the 2050 plan.

Substantive changes proposed as a part of the amendment include:

System Additions – Two system additions proposed by Scott County (see attached Map) are included in the draft amendment. These two trail search corridors were approved by Scott County in its 2040 Comprehensive Plan, to be submitted for recognition for regional status. The recognition of these is now being considered by the Metropolitan Council as a part of the Plan amendment:

- a. A trail search corridor to connect the Scott West Regional Trail near the southwest corner of Murphy-Hanrehan to Dakota County's regional trail network that connects near the northeastern edge of the Park Reserve. This system addition received support from Credit River Township, the City of New Prague, and the City of Burnsville.
- b. A trail search corridor connecting the City of New Prague to Cedar Lake Farm Regional Park. This system addition received support from the City of New Prague.

Boundary Adjustment Policy – Previously if a parcel that is adjacent to a regional park but outside its approved boundary became available and its acquisition was proposed by an implementing agency, consideration of adding the parcel to the park, no matter the size, could be accomplished through a park master plan update. The Plan amendment adds a new requirement that if the parcel results in what the Council deems a major boundary adjustment it will only be considered by the Council during a Regional Parks Policy Plan update process or the Council must conduct a formal Regional Parks Policy Plan amendment process to consider the boundary adjustment.

The Council's role as stated in the Plan amendment is "to convene an evaluation process where the proposed idea may be considered within a larger regional context, recognizing that all system additions increase the total cost to complete the Regional Parks System..."

This requirement could result in lost opportunities if a parcel of interest becomes unavailable due to the extended timeline needed to wait for the next Policy Plan update or to go through an amendment process. The policy seems to focus on the addition of acres and doesn't account for the possibility of swapping out parcels; for instance, adding parcels and removing parcels at the same time. The policy doesn't account for the reality that park and trail acquisitions are complex and involve a third party – private landowners – who have their own desires and timelines.

Park and Trail Master Planning Requirements – As a part of park and trail master planning processes, the Council is requiring an equity analysis. The 'Equity Analysis Requirement' (EAR) is an examination of the public engagement process and outcomes for stakeholders by race, ethnicity, national origin, income, ability, age, and other pertinent characteristics.

The EAR is a helpful addition to the plan, providing guidance and clarifying expectations for summarizing public engagement undertaken with master plans and how that engagement ultimately influences the park and trail master plans. Many comments made by Scott County and the other nine regional park agencies as a part of the 2014 effort to prepare the 2040 Plan and in the six years since that plan was prepared are reflected in this new public engagement guidance.

New Workplan Topics – The Plan includes a Workplan chapter. New workplan topics are summarized by the Met Council as "Workplan for the Regional Parks Policy Plan is updated to reflect new topics, including new studies, which will be informed by the Council's work to prepare the 2050 metropolitan development guide. This workplan will continue to evolve over the next four years. A few highlights include:

1. *Explore development of a land acknowledgement that recognizes and respects Indigenous residents and the histories of the land where our regional parks and trails are located*
2. *Conduct a cultural-historical study that describes and documents the impacts inequitable policies have had on the development of the Regional Parks System*
3. *Develop a long-term vision for regional trails that explores geographic balance, spacing, equity, character, and natural resource values.*

Scott County values the importance of understanding the culture and history that shaped the region and we look forward to learning more about these efforts announced by the Metropolitan Council; however, we do respectfully question if the Metropolitan Council is the best group to lead these types of initiatives.

Given the demand for a better connected and expanded trail system and associated costs of creating that system, development of a long-term vision for the regional trail system is important. It will be critical that the County and the other implementing agencies are included as genuine partners in scoping the future planning process.

Support of and concerns with the draft amendment to the 2040 Regional Parks Policy Plan are identified in the attached draft letter.

Fiscal Impact:

None.

**BOARD OF COUNTY COMMISSIONERS
SCOTT COUNTY, MINNESOTA**

Date:	October 20, 2020
Resolution No.:	2020-175
Motion by Commissioner:	
Seconded by Commissioner:	

**RESOLUTION NO. 2020-175; AUTHORIZING SUBMITTAL OF COMMENTS ON THE
METROPOLITAN COUNCIL'S DRAFT AMENDMENT TO THE 2040 REGIONAL PARKS POLICY PLAN**

WHEREAS, the Metropolitan Council has developed and completed a document entitled ThriveMSP 2040; and

WHEREAS, this document gives direction to the Metropolitan Council's initiatives in various areas over the next twenty-five years; and

WHEREAS, the Metropolitan Council is the federally recognized Metropolitan Planning Organization (MPO); and,

WHEREAS, the Metropolitan Council, through the 2040 Regional Parks Policy Plan, guides the planning, acquisition, development, and operation of the Metropolitan Regional Park and Trail System; and

WHEREAS, the Metropolitan Council has prepared an amendment to the 2040 Regional Parks Policy Plan; and

WHEREAS, the Metropolitan Council is seeking input on the amendment to the 2040 Regional Parks Policy Plan; and

WHEREAS, Scott County has drafted a response to the proposed amendment to the 2040 Regional Parks Policy Plan; and

WHEREAS, this response supports foundational initiatives that have resulted in establishment of the highly successful regional park and trail system in the Metropolitan Area, while noting concerns related to the role of the Council in leading cultural historical conversations for the region and commitment of the Council to genuine dialog, partnership, and collaboration with the ten regional park implementing agencies.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners in and for the County of Scott, Minnesota, hereby approves the submittal of the comment letter on the Metropolitan Council's 2040 Regional Parks Policy Plan.

COMMISSIONERS	VOTE
Weckman Brekke	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Wolf	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beard	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Beer	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain
Ulrich	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Absent <input type="checkbox"/> Abstain

State of Minnesota)
County of Scott)

I, Lezlie A. Vermillion, duly appointed qualified County Administrator for the County of Scott, State of Minnesota, do hereby certify that I have compared the foregoing copy of a resolution with the original minutes of the proceedings of the Board of County Commissioners, Scott County, Minnesota, at their session held on the ____ day of ____, 2020 now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at Shakopee, Minnesota, this ____ day of ____, 2020.

County Administrator

Administrator's Designee



SCOTT COUNTY BOARD OF COMMISSIONERS

200 FOURTH AVENUE WEST · SHAKOPEE, MN 55379-1220
(952)496-8100 · Fax (952)496-8180 · www.scottcountymn.gov

BARB WECKMAN BREKKE, DISTRICT 1
TOM WOLF, DISTRICT 2
MICHAEL BEARD, DISTRICT 3
DAVE BEER, DISTRICT 4
JON ULRICH, DISTRICT 5

DRAFT

October 20, 2020

Metropolitan Council
390 Robert Street North
Saint Paul, MN 55101
public.info@metc.state.mn.us

Dear Chair Zelle,

Thank you for the opportunity to provide comments on the Metropolitan Council's draft 2040 Regional Parks Policy Plan. The Plan has been an essential guiding document that has assisted Scott County and the other 9 regional park implementing agencies shape a superb regional park system across the Twin Cities, protecting the best natural resources of the region and offering quality outdoor recreation. Scott County recognizes the value of our regional park system in promoting a healthy livable community and we appreciate the Metropolitan Council's support of our efforts.

On behalf of the Scott County Board I would like to highlight support of several changes and updates in the plan amendment as well as areas of concern.

- *System Additions* – The proposals for 26 new or expanded regional park and trails by the ten regional park agencies, including Scott County, reflect demand for outdoor recreation service we are seeing on our communities. In Scott County we have had a substantial increase in visitation to our regional parks and trails over the last 10 years, and trails continue to be one of the most desired services based on resident surveys. The two system additions submitted by Scott County were identified in the County's 2030 comprehensive planning process and again in the 2040 comprehensive planning process. We fully support these receiving regional recognition as a part of the amendment to the 2040 Regional Parks Plan.
- *Boundary Adjustments* – The new requirement for major boundary adjustments to only be considered as a part of the Regional Parks Policy Plan update or an amendment to the Plan could result in lost opportunities if a parcel of interest becomes unavailable due to the extended timeline for review and approval by Council. Focused on the addition of acres and potential cost of adding to the Metro wide system, the policy doesn't account for the possibility of swapping out parcels; for instance, adding parcels and removing parcels at the same time. The policy doesn't account for the

reality that park and trail acquisitions are complex and involve a third party – private landowners – who have their own desires and timelines. There also appears to be ambiguity around what constitutes a ‘major’ boundary adjustment. We ask that the Council either consider an expedited amendment process in the case of boundary adjustments, or elimination of this new policy addition.

- *Park and Trail Master Planning Requirements* – Scott County welcomes the added clarity and depth of public engagement expectations contained in the equity analysis requirement or EAR. The EAR reflects suggestions made by Scott County and the other regional park implementing agencies starting as far back as 2014, and as such we welcome their addition to the Plan. While we would have preferred the opportunity to begin collaborative work on equitable access six years ago, we understand these efforts take time and congratulate the Council on developing updated public engagement guidance for master planning.
- *New Workplan Topics*
 - *‘Developing a long-term vision for regional trails that explores geographic balance, spacing, equity, character and natural resource values’*. - Given population growth, increased development in the exurban areas of the Twin Cities, continued demand for more and better-connected trail systems, as well as cost challenges for developing and maintaining the system, developing a long-term vision makes a lot of sense. We respectfully request the Met Council recognize the 10 regional park agencies as equal partners with the Council on this topic, and as such that we jointly set the agenda and scope of the planning process and jointly identify stakeholders.
 - *‘Conduct a cultural-historical study that describes and documents the impacts inequitable policies have had on the development of the Regional Parks System’* - We value the importance of understanding the culture and history that shaped the region and look forward to learning more about this effort.
 - *‘Explore development of a land acknowledgement that recognizes and respects Indigenous residents and the histories of the land where our regional parks and trails are located’* - We value the importance of understanding the culture and history that shaped the region and look forward to learning more about this effort; however we do respectfully question if the Metropolitan Council is the best group to lead this topic of discussion.

Thank you for the opportunity to provide comments.

Sincerely,

Dave Beer, Chair
Scott County Board of Commissioners

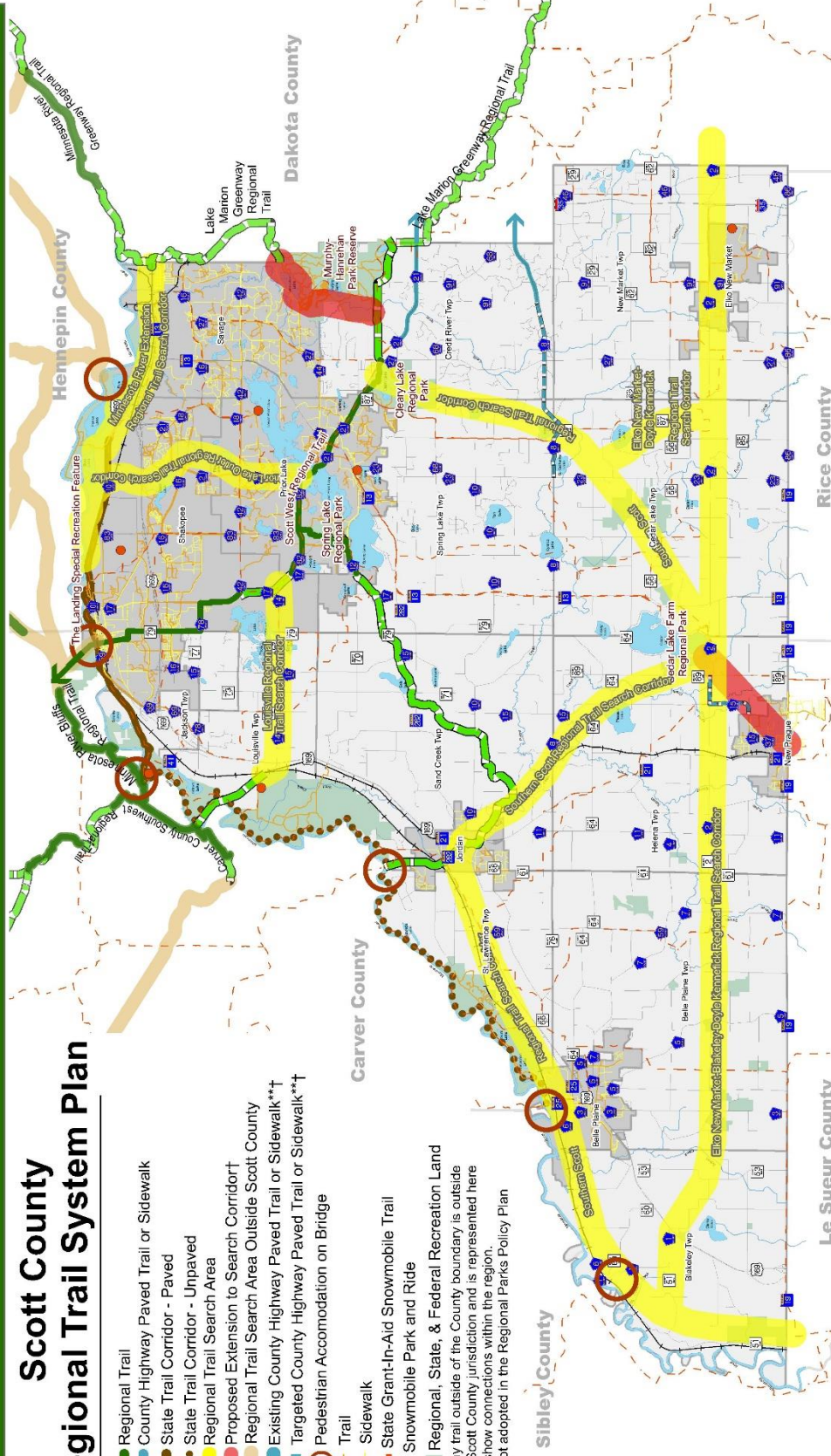
Scott County 2040 Comprehensive Plan Update

Scott County Regional Trail System Plan

- Regional Trail
- County Highway Paved Trail or Sidewalk
- State Trail Corridor - Paved
- ... State Trail Corridor - Unpaved
- Regional Trail Search Area
- Proposed Extension to Search Corridor†
- Regional Trail Search Area Outside Scott County
- Existing County Highway Paved Trail or Sidewalk**†
- Targeted County Highway Paved Trail or Sidewalk**†
- Pedestrian Accommodation on Bridge
- Trail
- Sidewalk
- State Grant-In-Aid Snowmobile Trail
- Snowmobile Park and Ride
- Regional, State, & Federal Recreation Land

*Any trail outside of the County boundary is outside of Scott County jurisdiction and is represented here to show connections within the region.

†Not adopted in the Regional Parks Policy Plan



This map is a legally recorded document and is a survey and is intended for planning purposes only. It does not constitute a warranty or representation of any kind. Prepared by: Scott County Parks and Trails, 11/13/2019



SCOTT COUNTY COMMUNITY DEVELOPMENT DIVISION
Parks and Trails
200 South Avenue West, Shakopee, Minnesota 55379-1220
(952) 495-8475 • Web: www.scottcountymn.gov